

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1975

HELD IN THE CITY OF MONTGOMERY, ALABAMA
COMMENCING TUESDAY, MAY 6, 1975



Vol. 4

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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To facilitate research in the Senate Journal, the following information is included at the end for your convenience:

1. List of registered lobbyists, with lobby group affiliation;
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STATE OF ALABAMA
REGULAR SESSION OF 1975

THIRTY-SIXTH LEGISLATIVE DAY

THURSDAY, OCTOBER 9, 1975

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by Dr. J. R. White, Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

JOURNAL

On motion of Mr. Bank, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Bank, leave of absence was granted Mr. Weaver for today.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama 36104

Gentlemen:

I herewith transmit to you a Message from the Governor.

Respectfully submitted,

HENRY B. STEAGALL, II,
Executive Secretary.

Done this 9th day of October 1975.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I respectfully urge you to consider the Conference Committee Report on the General Fund budget now pending before the Senate at an early hour today and I recommend to you that the Conference Committee Report be adopted and the General Fund budget then enacted. I feel that the passage of the General Fund budget at an early hour today is imperative to ensure that State Government functions in an orderly manner.

It is my further recommendation that immediately upon the consideration and passage of the General Fund budget that you take up the education budget and consider this budget as expeditiously as possible. I feel that, after the consideration and passage of the General Fund budget, it is equally important to the State of Alabama and to public education in Alabama that the education budget be passed as early in the day as possible. To this end, I have asked my friends and supporters in the Senate to assist in the prompt consideration of the education budget and to refrain from any unnecessary delay in the vote on this budget.

I further recommend to you that after your consideration and passage of the General Fund budget first, and then following the education budget, that you take up the Workmen's Compensation bill now pending on the Senate calendar and, after reasonable consideration thereof, that you pass this bill. In my opinion, the Workmen's Compensation bill is of great importance to the State of Alabama and its citizens and a great deal of effort has gone into the drafting of this legislation on the part of labor, management, and also members of the legislative and executive branches of government. In my opinion, if this legislation is enacted, and I trust that it will be, the State of Alabama will have one of the finest Workmen's Compensation laws in the Nation.

I further recommend that you consider the bill now pending to increase the pay of State employees. This represents a cost-of-living increase and is needed by the lower paid employees in State service. My primary interest is in those employees whose salaries are lowest. I respectfully ask that you consider this in your deliberations.

I appreciate your consideration of these requests.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and ordered spread upon the Journal.

BILLS ON THIRD READING

The Bill:

H. 1739. To authorize the county board of education in all counties

having a population of 600,000 or more inhabitants according to the most recent federal decennial census to provide transportation for public school pupils, in grades one through twelve, who live less than two miles from the school they are attending if the local county or city superintendent certifies the routes are dangerous or hazardous.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1962. Relating to counties having populations of not less than 600,000 inhabitants; to levy an additional license tax on cigarettes in such counties; to provide for the enforcement hereof, the collection of the tax and the disposition of the proceeds thereof; and to provide penalties for violation of the provisions of this act.

was taken up.

Mr. Gilmore offered the following amendment to the Bill, H. B. 1962, to-wit:

AMENDMENT TO H. B. 1962

Amend H. B. 1962 by adding to Section 10, in the 14th line of subsection (b), after the word "county", the following words:

"; provided, however, that in any area in a county to which this act applies which is not served by a public transit authority, one-half of the proceeds of such tax collected, if from an unincorporated area, shall go to the county general fund; or if collected from a municipality not served by a public transit authority, one-half shall go to that municipality's general fund. In the event an existing public transit authority should extend service to an area previously not served, or should a transit authority organize in an area previously not served, then one-half of the proceeds of the tax collected from such area shall be paid into the Mass Transit Contingency Funds, and shall be distributed per capita based on the population that is served by such public transit authority."

On motion of Mr. Pearson, said amendment was laid on the table.

Yeas 5; Nays 3.

Yeas:

Messrs. Clemon, McMillan, Pearson, Vacca, Wilson.

—5

Nays: Messrs. Ellis, Gilmore, Littleton.

—3

(A quorum of the Senate was present but not voting.)

And said Bill, H. B. 1962, was then read a third time at length and passed.

Yeas 25; Nays 3.

Yeas:

Messrs. Adams, Baker, Clemon, Fine, Flippo, Foshee, Givhan, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Shelby, Stewart, Vacca, Wilson.

—25

Nays: Messrs. Ellis, Gilmore, Littleton.

—3

The Bill:

H. 356. To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, to select and appoint a chief of the youth aid division, to provide for the appointment of the chief of the youth aid division, to provide for the salary of the chief of the youth aid division, and the method of payment of such salary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Noonan, Owen, Perloff, Perry, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1939. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1952. Relating to all cities having a population of 7,400 to 7,600 inhabitants, according to the most recent Federal Decennial Census; to provide that all city boards of education in such cities shall have the power to borrow against revenue derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such cities, at any time in the future, vote to prohibit legal sales of alcoholic beverages; to provide that all laws in conflict are hereby repealed; and its becoming effective upon its signing by the Governor or it otherwise becoming law.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), Mims, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1953. To require the City of Centreville in Bibb County to establish a personnel and merit system under the supervision of the State Personnel Department and to repeal all conflicting statutes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Shelby, Torbert, Vacca, Wilson.

—25

Nays:

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The Bill:

H. 1954. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Jones, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1955. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1956. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; to prohibit the use of steel traps for the trapping of foxes prescribing a penalty for violation of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mitchell, Owen, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

—25

Nays:

—0

The Bill:

H. 1958. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; providing for the sheriff's expense allowance not to exceed \$8,000.00 per annum for the purchase of equipment and uniforms for sheriff and employees of sheriff's department in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1965. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing for an increase in the annual expense allowance for the sheriff of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

—0

The Bill:

H. 1966. Relating to counties having a population of not less than 57,000 nor more than 61,000; to provide an additional expense allowance for the probate judge.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1967. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for an additional expense allowance for the tax collector and the tax assessor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Flippo, Foshee, Gilmore, Jones, King, McDonald (A), McDonald (S), McMillan, Mims, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1968. To provide additional compensation for members of the jury commission in all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Owen, Perloff, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1969. Relating to all counties having populations of not less than 57,000 nor more than 61,000; providing further for the compensation and expenses of the circuit clerk and register in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

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The Bill:

H. 1949. To provide an additional expense allowance for the chairman and members of the county commission of all counties having a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Givhan, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 90. Relating to counties having populations of not less than 27,900 nor more than 33,500; to provide an additional per diem and mileage expense allowance for jurors in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Owen, Pearson, Perloff, Perry, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

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The Bill:

H. 462. To provide an expense allowance for each member of the county commission of all counties having a population of not less than 27,900 nor more than 33,500 inhabitants according to the most recent federal decennial census, which shall supercede any provision heretofore made for expense allowances of such commissions; and providing that the provisions of this Act shall have a retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

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Nays:

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The Bill:

H. 1716. To provide for a retirement pension for members of the county governing body of St. Clair County, to set the eligibility

requirements for such pension and the amount, including contributions to retirement fund, and method and source of payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Littleton, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Stewart, further consideration of the Bill, H. B. 1756, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1454. To add to the land limits of the City of Vestavia Hills in Jefferson County, Alabama, by removing certain area now part of the unincorporated area of Jefferson County, Alabama, and adding same to the land limits of the City of Vestavia Hills, and to describe the area so removed from the unincorporated area of Jefferson County, Alabama, and so added to the City of Vestavia Hills.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Wilson.

—25

Nays:

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The Bill:

H. 1914. To create a county planning commission in every county in this state which has a population of not less than 27,900 nor more than 33,500, according to the most recent federal decennial census; to provide for the organization, membership, powers, personnel, jurisdiction, and financial and legal status of such commission; to authorize the commission to make subdivision regulations, a master plan, and to adopt zoning regulations for the development of the county; to provide for an election in each beat prior to the application of such authority of the commission in each beat; to grant the commission power to zone certain areas within the county and provide a procedure for the amendment of zoning regulations; to prohibit zoning regulations from being retroactive; to provide remedies for the enforcement of the provisions of this act; and to provide exceptions

to such zoning regulations and for appeals from the decisions of the commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

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Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 219. Relating to mobile home safety, making it unlawful to occupy a mobile home unless it is anchored to resist certain wind loads; providing the Alabama State Fire Marshal with authority to promulgate rules and regulations to enforce this act and providing criminal and other penalties for its violation.

Also:

S. 220. To amend Section 6 of Act No. 1938, H. 262, Regular Session 1971, approved September 20, 1971, which act establishes a Uniform Standards Code for the construction of mobile homes to be sold within this state so as to require the posting of bond by the dealer or manufacturer before the issuance of a license by the State Fire Marshal.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Mr. Kinsey:

H. J. R. 407. COMMENDING JOHN L. WEBB.

Also:

By Mr. Kinsey:

H. J. R. 408. COMMENDING WALTER R. COSDON.

Also:

By Mr. Crowe:

H. J. R. 414. MOURNING THE DEATH OF JACK BRADFORD, SR., OF WALKER COUNTY.

Also:

By Mr. Crowe:

H. J. R. 415. CONGRATULATING MR. AND MRS. N. B. UNDERWOOD ON THEIR GOLDEN WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolutions, H. J. R.'s 407, 408, 414 and 415, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Warren:

H. J. R. 423. Naming S. B. 152 the Harris-Jones Bill.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That S. B. 152, which has passed both houses, be designated and known as "The Harris-Jones Bill."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mims, the Rules were suspended and the Resolution, H. J. R. 423, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT FROM RULES

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Larry Weems, Birmingham, Alabama, the Honorable Charles E. Grainger, Huntsville, Alabama and the Honorable R. E. Wingard, Auburn, Alabama, to the Air Pollution Control Commission.

On motion of Mr. Roberts, the appointment of the Honorable Larry Weems, the Honorable Charles E. Grainger and the Honorable R. E. Wingard was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McMillan, Mitchell, Pearson, Powell, Roberts, Stewart, Vacca.

— 18

Nays:

— 0

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Douglas Mims, Montgomery, Alabama, as Superintendent of Banks.

On motion of Mr. Jones, the appointment of the Honorable Douglas Mims was confirmed by the Senate.

Yeas 20; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flippo, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Pearson, Powell, Roberts, Stewart, Vacca, Waldrop.

— 20

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Charles A. Rollo, Auburn, Alabama, as Adjutant General with grade of Major General.

On motion of Mr. Bank, the appointment of the Honorable Charles A. Rollo was confirmed by the Senate.

Yeas 19; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Flippo, Givhan, Jones, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Pearson, Powell, Vacca, Waldrop.

— 19

Nays:

— 0

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Kyser Wilson, Ariton, Alabama, to the State Personnel Board.

On motion of Mr. Fine, the appointment of the Honorable Kyser Wilson was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Flippo, Givhan, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Pearson, Powell, Stewart, Waldrop.

— 18

Nays:

— 0

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Willard Smith, Eufaula, Alabama, the Honorable Carl Boley, Sheffield, Alabama, Dr. J. Garber Galbraith, Birmingham, Alabama, and the Honorable James Geer, Tuscaloosa, Alabama to the Alabama Mental Health Board.

On motion of Mr. Fine, the appointment of the Honorable Willard Smith, the Honorable Carl Boley, Dr. J. Garber Galbraith, and the Honorable James Geer was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Flippo, Givhan, McDonald (A), McMillan, Mims, Noonan, Pearson, Powell, Shelby, Stewart, Vacca, Waldrop.

— 18

Nays:

— 0

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Morgan Edwards, Cullman, Alabama, and the Honorable Harold Johnson, Notasulga, Alabama, to the State Board of Agriculture and Industries.

On motion of Mr. Fine, the appointment of the Honorable Morgan Edwards and the Honorable Harold Johnson was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Flippo, Givhan, McDonald (A), McMillan, Mims, Pearson, Powell, St. John, Shelby, Torbert, Vacca, Waldrop.

— 18

Nays:

—0

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Frank V. Potts, Florence, Alabama, to the Alcoholic Beverage Control Board.

On motion of Mr. Fine, the appointment of the Honorable Frank V. Potts was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Givhan, McDonald (A), McDonald (S), McMillan, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Vacca, Waldrop.

— 18

Nays:

—0

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Tommy Strother, Brundidge, Alabama, the Honorable Herman Watson, Fort Payne, Alabama, the Honorable Mureal Crump, Montgomery, Alabama, and the Honorable Hayse McGahey, Guntersville, Alabama, to the State Banking Board.

On motion of Mr. Fine, the appointment of the Honorable Tommy Strother, the Honorable Herman Watson, the Honorable Mureal Crump and the Honorable Hayse McGahey was confirmed by the Senate.

Yeas 19; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Givhan, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, St. John, Shelby, Waldrop.

— 19

Nays:

—0

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Melvin O. Berglin, Fairhope, Alabama, Dr. Robert Bucher, Mobile, Alabama, the Honorable Louis Grabensteder, Huntsville, Alabama, and the Honorable C. O. Cargile, Hueytown, Alabama, to the Water Improvement Commission.

On motion of Mr. Fine, the appointment of the Honorable Melvin O. Berglin, Dr. Robert Bucher, the Honorable Louis Grabensteder, and the Honorable C. O. Cargile was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flipppo, Givhan, King, Little, McDonald (A), McMillan, Mims, Noonan, Pearson, Perloff, St. John, Shelby, Waldrop.

— 18

Nays:

— 0

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Joseph P. Givhan, Mobile, Alabama, to the Good Neighbor Commission.

On motion of Mr. Fine, the appointment of the Honorable Joseph P. Givhan was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flipppo, Gilmore, Givhan, King, Littleton, McDonald (A), McMillan, Mims, Noonan, Pearson, St. John, Shelby, Waldrop.

— 18

Nays:

— 0

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. Marion L. Carroll, Jr., Mobile, Alabama, to the State Board of Corrections.

On motion of Mr. Fine, the appointment of Dr. Marion L. Carroll, Jr. was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flipppo, Little, Littleton, McMillan, Mims, Noonan, Pearson, Perloff, Powell, St. John, Shelby, Waldrop.

— 18

Nays:

— 0

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Sam M. Phelps, Tuscaloosa, Alabama, and the Honorable Walter B. Lawson, Tuscaloosa, Alabama, to the Tuscaloosa City Civil Service Board.

On motion of Mr. Shelby, the appointment of the Honorable Sam M. Phelps and the Honorable Walter B. Lawson was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Bank, Ellis, Fine, Flippo, Foshee, Givhan, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Pearson, Powell, St. John, Shelby, Vacca.

—18

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Percy Graham, Northport, Alabama, the Honorable William Sharp, Northport, Alabama, and the Honorable James O. Kincaid, Tuscaloosa, Alabama, to the Tuscaloosa County Civil Service Board.

On motion of Mr. Shelby, the appointment of the Honorable Percy Graham, the Honorable William Sharp, the Honorable James O. Kincaid was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Jones, King, Littleton, McMillan, Mims, Pearson, Powell, St. John, Shelby, Vacca.

—18

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable John Goodson, Jr., Brent, Alabama, the Honorable George Kaiser, Foley, Alabama, the Honorable Leslie J. Hatchett, Grand Bay, Alabama, and the Honorable Aaron Bailey, Huntsville, Alabama, to the Farmers Market Authority.

On motion of Mr. Mims, the appointment of the Honorable John Goodson, Jr., the Honorable George Kaiser, the Honorable Leslie J. Hatchett and the Honorable Aaron Bailey was confirmed by the Senate.

Yeas 20; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Foshee, Givhan, King, Little, McDonald (A), McMillan, Mims, Noonan, Pearson, St. John, Shelby, Stewart, Torbert, Vacca.

—20

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. Jerry Swindle, Dadeville, Alabama, to the Board of Pensions and Security.

On motion of Mr. Fine, the appointment of Dr. Jerry Swindle was confirmed by the Senate.

Yeas 20; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Givhan, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Perloff, Powell, St. John, Shelby, Torbert, Vacca.

—20

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Wallace D. Malone, Jr., Birmingham, Alabama, to the Board of Trustees of Troy State University.

On motion of Mr. Fine, the appointment of the Honorable Wallace D. Malone, Jr. was confirmed by the Senate.

Yeas 20; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Givhan, King, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Pearson, Perloff, Powell, St. John, Torbert, Vacca.

—20

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Harold N. Stinson, Tuscaloosa, Alabama, to the Alabama Educational Television Commission.

On motion of Mr. Fine, the appointment of the Honorable Harold N. Stinson was confirmed by the Senate.

Yeas 20; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flipppo, Foshee, Givhan, King, Littleton, McDonald (S), McMillan, Mims, Owen, Pearson, Perloff, St. John, Torbert, Vacca.

—20

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable C. C. Wimberly, Sr., Mobile, Alabama, the Honorable John A. Tupkelewicz, Birmingham, Alabama, the Honorable J. Herman Pitts, Montgomery, Alabama, and the Honorable Joe Gallo, Daleville, Alabama, to the Polygraph Examiners Board.

On motion of Mr. Fine, the appointment of the Honorable C. C. Wimberly, Sr., the Honorable John A. Tupkelewicz, the Honorable J. Herman Pitts, and the Honorable Joe Gallo was confirmed by the Senate.

Yeas 17; Nays 2.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Givhan, Little, Littleton, McDonald (A), Mims, Pearson, Perry, St. John, Shelby, Torbert.

—17

Nays: Messrs. King, Stewart.

—2

BILL RECONSIDERED

On motion of Mr. Mitchell, the Senate reconsidered the vote by which it concurred in the House amendment to the Bill:

S. 1018. Relating to elections; to define "primary elections"; to provide party may choose to come under law; to define "political party"; to define the term "total vote"; to provide which elections are within the law; to provide for the date of elections; allows party to elect convention delegates by presidential preferential primary; to provide for party committees and their election; to provide for payment of expenses of primary elections; to provide method of filing declaration of candidacy and require party chairmen to certify such candidates; to require candidates to be eligible to hold office; to provide for public notice to election; to establish who may vote in primary; to allow parties to assess fees against candidates; to allow candidates to nominate election officers and provides for oath of said officers; to provide for official ballots and election stationery; to provide for ballot boxes and voting machines to be used; to provide official form of ballot; provides method of challenging voters; to provide regulations for handling challenged ballots; to provide methods of

casting votes; to provide for poll watchers; to provide for assistance to voters unable to read English; to provide duties of sheriff; to provide time of counting ballots; to provide for disposition of ballots, lists and supplies; to require public proclamation of the result; to provide for tabulation and declaration of results by precinct; to provide for declaration of candidate or nominee; to provide for date of second primary; to provide for breaking tie votes; to provide for certification of nominees to probate judge; to provide for filling vacancies in nominations; to provide for method, time and place of mass meetings; to provide penalties for violation of mass meeting law; and to repeal Code of Alabama 1940, Title 17, Chapter 2.

which said amendment is set out at length in the Journal of the Senate for the Thirty-fifth Legislative Day.

On motion of Mr. Mitchell, the Senate then non-concurred in said House amendment to the Bill, S. B. 1018, and requested a Committee on Conference.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flipppo, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McMillan, Mitchell, Noonan, Pearson, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

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And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Mitchell, McMillan and Pearson.

REPORT FROM RULES

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Holley A. Mitchell, Auburn, Alabama, and the Honorable Robert S. Bateman, Mobile, Alabama, to the Alabama Board of Examiners of Landscape Architects.

On motion of Mr. Torbert, the appointment of the Honorable Holley A. Mitchell and the Honorable Robert S. Bateman was confirmed by the Senate.

Yeas 19; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Givhan, King, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Perloff, St. John, Shelby, Torbert, Vacca.

—19

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported

that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable H. Robert Jones, Prattville, Alabama, and the Honorable Kenneth W. Underwood, Jr., Montgomery, Alabama, to the Board of Appeals for the Department of Industrial Relations.

On motion of Mr. Fine, the appointment of the Honorable H. Robert Jones and the Honorable Kenneth W. Underwood, Jr. was confirmed by the Senate.

Yeas 22; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Givhan, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, St. John, Shelby, Vacca.

—22

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mrs. Frank Samford, Jr., Birmingham, Alabama, Mrs. John C. Henley, III, Birmingham, Alabama, the Honorable W. Chester Sparks, Birmingham, Alabama and the Honorable Allen Lyman Bartlett, Birmingham, Alabama, to the Board of Trustees for the State Training School for Girls.

On motion of Mr. Fine, the appointment of Mrs. Frank Samford, Jr., Mrs. John C. Henley, III, the Honorable W. Chester Sparks, and the Honorable Allen Lyman Bartlett was confirmed by the Senate.

Yeas 22; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Vacca.

—22

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Grover Gibbs, Troy, Alabama, the Honorable C. E. Hornsby, Jr., Centreville, Alabama, and the Honorable Ross Daniels, Sr., Montgomery, Alabama, to the State Forestry Commission.

On motion of Mr. Fine, the appointment of the Honorable Grover Gibbs, the Honorable C. E. Hornsby, Jr. and the Honorable Ross Daniels, Sr., was confirmed by the Senate.

Yeas 22; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Flippo, Foshee, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Perloff, St. John, Shelby, Stewart, Torbert, Vacca.

— 22

Nays:

— 0

SENSE OF THE SENATE

The President and Presiding Officer requested the sense of the Senate to determine whether it would non-concur in the Conference Committee Report on the Bill:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

and request a new Conference Committee. On a call of the roll, the Senators responded as follows:

Yeas 18; Nays 13.

Yeas:

Messrs. Adams, Bank, Edwards, Foshee, Givhan, Jones, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Perloff, St. John, Shelby, Torbert, Wilson.

— 18

Nays:

Messrs. Baker, Clemon, Ellis, Fine, Flippo, Gilmore, King, McMillan, Pearson, Powell, Roberts, Vacca, Waldrop.

— 13

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

The question was on the motion of Mr. Clemon, offered on the Thirty-fifth Legislative Day, that the Senate non-concur in the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 490, and request that the present Conference Committee be discharged and a new Conference Committee appointed.

And said motion was then adopted by the Senate.

Yeas 32; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

— 32

Nays:

— 0

And the President and Presiding Officer of the Senate appointed as conferees on part of the Senate Messrs. Foshee, Owen and Wilson.

RESOLUTION

Messrs. Perry, Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop and Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 158. MOURNING THE DEATH OF FORMER SENATOR L. L. "DAGO" DOZIER

WHEREAS, the Alabama Legislature notes with a sense of deep regret the death of our former colleague and Senator, L. L. "Dago" Dozier; and

WHEREAS, Senator Dozier was born in Hurtsboro, Alabama on October 27, 1914 and attended Auburn University; and

WHEREAS, our friend served with distinction in the Senate of Alabama from 1970 to 1974; and

WHEREAS, this public servant and influential leader used his many talents for the betterment of his community and state; and

WHEREAS, Senator Dozier was recognized for his vast business acumen and served as a member of the Advisory Committee of the Small Business Administration; and

WHEREAS, Mr. Dozier was a Kiwanian and a member of many other charitable and civic organizations; and

WHEREAS, "Dago" has attracted many friends whose number are legion; and

WHEREAS, Senator L. L. ("Dago") Dozier is survived by his wife, Mary Nell, and three children, Carey and Cecil Dozier and Mrs. Wayne Dickens; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we keenly feel and mourn the death of our good friend and former colleague, and extend our heart felt sympathy to the surviving members of his family to whom copies of this resolution shall be sent.

On motion of Mr. Perry, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 1114. Relating to the City of Montgomery in Montgomery County; to provide that the public street known as Fieldcrest Drive may not be constructed as a grade level crossing where it intersects the Central of Georgia railroad tracks; if Fieldcrest Drive is to be constructed as a four (4)-lane street in either direction from said railroad tracks, provided however, that Fieldcrest Drive may be opened as a grade level crossing if said street remains as a two (2)-lane street from either direction of the said intersection.

Also:

S. 1155. Proposing an amendment to the Constitution of Alabama relating to levying additional ad valorem taxes by the City of Vestavia Hills, Jefferson County, Alabama.

Also:

S. 1157. To provide that no board of adjustment authorized by Section 781, Title 37, Code of Alabama, as amended, and provided for by any municipality which is located within any county, which county now has or may hereafter have a population in excess of 500,000 according to the last or any succeeding decennial federal census, shall grant a variance under the zoning ordinance of such municipality to allow a structure or use in a district restricted against such structure or use except as specifically provided for by the zoning ordinance of such municipality.

Also:

S. 1136. To apply to every county of the state having a population of more than 500,000 according to the last or any subsequent federal census; to define for and in such county an associate registrar as a member of the board of registrars of the county other than the chairman of said board; To provide that the term of an associate registrar shall expire on a date four years subsequent to the date of his appointment; To provide that if when an associate registrar's term expires there are then a full time chairman of the board of Registrars subject to a civil service system and full time employees of said board subject to said civil service system, the appointing board, provided for by Section 21, Title 17, Code of Alabama of 1940, shall not appoint a successor to such associate registrar until the appointing board has received a resolution of the governing body of the county requesting that the appointing board appoint a successor to the associate registrar whose term has expired; To provide that the governing body shall not adopt any such resolution unless such governing body has found, and recites in said resolution, that it is essential to the efficient functioning of the board of registrars that the appointing board appoint a successor to the associate registrar whose term has expired; To provide that as soon as practical after the appointing board receives such resolution the appointing board shall appoint a successor to the associate registrar whose term has expired; To provide that upon an associate

registrar's term expiring thereafter until his successor is appointed the chairman, or the chairman and the remaining associate registrar, as the case may be, shall perform the functions and duties of the board of registrars; To provide that when the chairman performs the functions and duties which a former associate registrar would have performed if his term had not expired, the State of Alabama shall pay to the general fund of the county an amount equal to the compensation which the State would have paid such former associate registrar if he as an associate registrar had performed the duties the chairman performed in his stead.

Also:

S. 1252. To adopt minimum standard codes for all counties now or hereafter having more than 600,000 population according to the latest federal census; to provide for the revision of these codes; to allow local modification of these codes; to authorize county governing bodies to enforce these codes; and to authorize the prescription and collection of the fees necessary to effect the enforcement of these codes, providing penalties for the violation of this act.

Also:

S. 75. To create the Office of Prosecution Services, to provide for the appointment of an Executive Director and his staff; and to provide for the duties of the office and the salary of such Director and employees.

Also:

S. 152. To further amend Act No. 173, H. 311, Regular Session 1945, (Acts 1945, p. 304), so as to add a representative from AMVETS to the State Board of Veterans Affairs.

Also:

S. 164. To establish within the Department of Insurance a Receivership Division, to provide for the management thereof and to enumerate the duties, responsibilities and authority to be conferred thereon.

Also:

S. 169. To provide protection to policyholders and beneficiaries of insolvent insurers in receivership by establishing a priority of certain claims to be allowed by receivership courts so as to make policyholders and beneficiaries of such insurers preferred creditors; and to make further provision for protection of policyholders by authorizing receivers of such insurers to transfer to solvent insurers certain assets of receivership estates as consideration or as reserves for reinsurance of policies of insolvent insurers upon hearing and approval of the appropriate circuit court having jurisdiction of such case or cases; and to provide for priorities of claims among classes of policyholders and beneficiaries; and to relieve the receiver of any civil liability to creditors for acts performed pursuant to such court orders.

Also:

S. 335. Providing for the licensing of insurance premium finance companies; imposing powers and duties on the Commissioner of Insurance; providing for regulation of such companies in the rates and charges permissible and penalties for violations of this Act.

Also:

S. 391. To amend Section 4 of Act No. 46 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended, so as to provide that the certificate of incorporation of a county hospital board may contain provisions requiring that one or more of the members of its board of directors be elected from persons residing in certain specified political or other similar subdivisions of the county or from certain specified occupational or other similar groups or from among persons nominated by specified political subdivisions, public officers or occupational or other similar groups and so as to validate any certificates of incorporation of such hospital boards heretofore filed and containing such provisions.

Also:

S. 416. To amend Sections 36 and 38, as amended, of Title 53, Code of Alabama 1940, being Sections 9 and 11 of Act No. 542, Regular Session 1959, pp. 1335 et seq. which regulate transactions in securities in Alabama so as to resolve an ambiguity and make it clear that Alabama Credit Unions are entitled to the same exemptions enjoyed by banks, savings and loan associations and trust companies.

Also:

S. 495. To authorize the governing bodies of counties in this state to make temporary loans in anticipation of the receipt of funds from the United States under the "State and Local Fiscal Assistance Act of 1972".

Also:

S. 496. To amend Section 125 of Title 12, Code of Alabama 1940, as last amended, which relates to the interest rate and maturity of temporary loans made by the county governing bodies in anticipation of taxes.

Also:

S. 517. To authorize the registers and clerks of the circuit courts of this state to destroy all exhibits offered and received in evidence in civil, and equity cases on or after one year from the final disposition of the case in which they were offered and received.

Also:

S. 658. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacturer thereof for twelve (12) months after production or manufacture.

Also:

S. 755. To amend Sections 8, 9, 11, 13, 14, 16 and 23 of Act No. 79, S. 76, approved September 15, 1961, an act regulating the practice of engineering and land surveying; so as to provide: additional liability protection and legal counsel for the Board, biennial printing of Roster, an increase in certain fees and an increase in amount of funds that the Board may retain; and further to make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors from the "Professional Engineers' Fund" for the fiscal years ending September 30, 1975, September 30, 1976 and September 30, 1977.

Also:

S. 1041. To Amend Section 9 of Act 1938, Regular Session 1971 which Act relates to the inspection of mobile homes by the State Fire Marshal so as to increase inspection fees, original fees, and to provide for appropriation of funds to the State Fire Marshal.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution with the original Senate Bills and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. 20. To provide that all retirement income received by any retired military personnel and survivor benefits derived therefrom shall be exempt from all state, county or city income taxes or like taxes.

Also:

S. 171. To amend Section 54 of Act No. 407, Acts of Alabama 1971, codified into Section 54, Title 28A, Code of Alabama 1940 (recompiled 1958) by raising the capital requirements of insurance companies.

Also:

S. 1033. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Intermediate Court, and the District Attorney's Office.

Also:

S. J. R. 156. AMENDING S. J. R. 39, THIRD SPECIAL SESSION 1975.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing

bills, and Senate Joint Resolution the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1046. To prohibit the unauthorized copying of certain recorded articles for sale and the sale of such articles with knowledge that the sounds have been transferred thereon without the consent of the owner and providing punishment therefor.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Flipppo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—26

Nays:

—0

The Bill:

H. 860. Relating to the Sixteenth Judicial Circuit; providng for an additional circuit court judge in such circuit.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs. Baker, Bank, Fine, Flipppo, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, St. John, Stewart, Torbert, Vacca, Waldrop.

—22

Nays:

—0

The Bill:

H. 291. Relating to taxation; amending Section 613, Title 51, Code of Alabama (1940), as last amended, which relates to the licensing of vending machines.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Fine, Flipppo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mitchell, Noonan, Pearson, Perloff, Perry, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays: —0

The Bill:

H. 451. To amend Section 584 of Title 7, Code of Alabama 1940, relating to the registration of judgments and decrees, so as to require the address of each defendant or respondent as shown in the court proceedings to appear on the certificate of registration.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), McDonald (S), Mitchell, Noonan, Pearson, Perloff, Powell, St. John, Shelby, Torbert, Vacca, Waldrop.

—23

Nays: —0

The Bill:

H. 222. To provide that the boards of Alabama Institute for Deaf and Blind, Alabama Boys Industrial School, Alabama Girls Industrial School, and the Industrial School at Mt. Meigs shall grant personal leave to teachers.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Vacca.

—24

Nays: —0

The Bill:

H. 843. To establish an Alabama Women's Hall of Fame; to prescribe its purposes and membership; to provide for election of members and officers and for the holding of meetings; and to appropriate funds for the use of the Board in carrying out its purposes.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca.

—21

Nays: —0

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 159. Resolved by the Senate, That the following bills shall be the paramount and continuing order of business, immediately upon adoption of this resolution, taking precedence over all other business, including any previously adopted special order calendar, for the 36th Legislative day.

All uncontested local bills as they appear on the calendar and the following general bills:

Bill No.	Page No.	Description
H. B. 489	1	SETF
H. B. 271	2	Walker County Junior College
H. B. 476	2	Marion Institute
H. B. 488	3	Talladega County
H. B. 457	3	Lyman Ward Military Academy
H. B. 584	4	Tuskegee Institute
H. B. 198	25	Teachers Retirement
H. B. 199	26	Teachers Retirement
H. B. 97	24	Teachers Retirement
H. B. 43	24	State Employees Retirement
H. B. 63	52	State Employees Retirement
H. B. 500	27	State Employees Pay
H. B. 1547	84	First Judicial Circuit
H. B. 1567	118	Workmens compensation
H. B. 1183	91	Industrial Development
H. B. 1184	92	Industrial Development
H. B. 640	99	Sod farm
H. B. 291	97	Licensing of vending machines
H. B. 316	29	Investment of funds
H. B. 1778	85	Fort Toulouse
H. B. 1562	61	Fort Toulouse
H. B. 1046	95	Copy law — sounds
H. B. 658	54	Oil and Gas Board
H. B. 1669	89	State Docks
H. B. 616	98	Sheriffs
H. B. 638	33	Small businesses

H. B. 507	4	Houston County
H. B. 1472	15	Houston County
H. B. 334	78	Mental Health
H. B. 335	79	Mental Health
H. B. 556	31	Secretary of State
H. B. 383	113	Health
H. B. 1160	82	Tax Collectors, et al.
H. B. 672	98	Clerks and Registers
H. B. 390	32	Leg. Journals
H. B. 40	23	Credit for Military Service
H. B. 38	22	Teachers Retirement

On motion of Mr. Foshee, said Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1208. Relating to individual income taxation; providing further for deductions from gross income for state income tax purposes.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, King, Little, Littleton, McDonald (A), Mims, Noonan, Pearson, Perloff, St. John, Shelby, Torbert, Vacca, Waldrop.

—21

Nays:

—0

The Bill:

H. 1946. To name the state grain elevator at Phenix City, Alabama, the W. O. "Bill" Patterson Grain Elevator.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—22

Nays:

—0

The Bill:

H. 1669. To authorize the state of Alabama, acting through its agency, the Alabama state docks department, with the consent of the governor, to enter into contracts and agreements with the United States of America or any of its agencies for the purpose of acquiring from the United States of America, or any of its agencies, funds and facilities for public use in connection with waterways and navigation for which said funds are obtained and to comply with the provisions of Public Law No. 91-646 known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 in connection with such public projects for which Federal funds are available and used.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—28

Nays:

—0

The Bill:

H. 119. To amend Code of Alabama 1940, Title 8, Sections 92 and 93 relative to maximum penalties for hunting on the property of another without permission.

Was read a third time at length and passed.

Yeas 18; Nays 3.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Flippo, Gilmore, Givhan, King, Littleton, McDonald (S), Mims, Perloff, Roberts, St. John, Torbert, Vacca, Waldrop.

—18

Nays: Messrs. Jones, Shelby, Stewart.

—3

The Bill:

H. 1628. To amend Section 4 of Act No. 712, H. 48, Acts of Alabama 1951 (Acts 1951, Vol. II, p. 1250) relating to tourist advertising, to permit the purchase of intrastate advertising of state-owned parks by bureau of publicity and information.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore,

Givhan, King, Little, McDonald (S), McMillan, Mitchell, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—22

Nays:

—0

The Bill:

H. 463. To amend Sections 10 and 15 of Act No. 784, H. 316, Regular Session 1953 (Acts 1953, p. 1069) regulating the use of commercial fishing gear in the public fresh waters of this state so as to increase the penalties for the violation of this act.

Was read a third time at length and passed.

Yeas 17; Nays 2.

Yeas:

Messrs. Adams, Baker, Edwards, Fine, Flippo, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), Mims, Perloff, Roberts, St. John, Shelby, Vacca.

—17

Nays: Messrs. Clemon, Stewart.

—2

The Bill:

H. 88. To amend Sections 1, 6 & 9 of Act No. 217, Senate 23, page 259, Volume 1, Acts of Alabama 1967, enacted at the 1967 Special Session of the Legislature of Alabama, as amended, relating to competitive bidding and the expenditure of public funds; to authorize cooperative purchasing among local purchasing agencies.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, McDonald (S), McMillan, Mims, Mitchell, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—23

Nays:

—0

The Bill:

H. 113. To provide for and regulate absentee voting in primary, general, special and municipal elections; prescribing penalties for violations of the Act; repealing conflicting laws and specifically repealing Act No. 424, H. 351, Regular Session 1949 (Acts 1949, page 601) and all acts amendatory and supplemental thereto.

was taken up.

The Standing Committee on Constitution and Elections reported the following amendment to the Bill, H. B. 113, to-wit:

COMMITTEE AMENDMENT TO H. B. 113

Amend H. B. 113, page 9, line 5, by inserting the following new section:

"Section 16. The words "register" or "register in chancery" as used in this Act shall also include any successor in function to such register. In any election to which this Act pertains, when the register in chancery is a candidate for any office, he shall be disqualified from performing any of the duties in reference to the handling of absentee ballots which are herein imposed upon him and such register shall, at least thirty (30) days prior to the date of the election, certify that he is disqualified to serve or that he is otherwise prevented from serving, to the presiding judge of the circuit court of the county. Thereupon, such circuit judge shall appoint a person qualified by training and experience and who is a qualified elector of the county and who is not a candidate in the election to perform the duties of the register in chancery as prescribed by this Act and designate the place or office where said duties shall be performed. Any person so appointed shall have all the powers, duties, and responsibilities of the register in chancery under this Act and shall be designated and known as "absentee election manager". Any person so appointed to serve as "absentee election manager" is authorized and empowered to administer oaths under this Act and shall be entitled to the same compensation as the register in chancery for the performance of such duties required by this Act, and the place or office designated for the performance of his duties shall be open on the days and during the hours as that of the register in chancery prior to each election and said "absentee election manager's" duties shall terminate at the end of election day."

Also by renumbering subsequent sections accordingly.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, McDonald (A), McDonald (S), McMillan, Mims, Noonan, St. John, Shelby, Stewart, Vacca, Waldrop.

—20

Nays:

—0

And said Bill, H. B. 113, as thus amended, was then read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, McDonald (A), McDonald (S), McMillan, Mims, Noonan, St. John, Shelby, Stewart, Vacca, Waldrop.

—20

Nays:

—0

The Bill:

H. 658. To amend Section 25 of Act No. 1, Regular Session 1945 (Acts of Alabama 1945, p. 1), by increasing the permit fee for oil and gas wells and to provide for the disposition of permit fees, penalties and publication fees in the Oil and Gas Fund.

was taken up.

Mr. Mims offered the following substitute for the Bill, H. B. 658, to-wit:

SUBSTITUTE FOR H. 658

A BILL TO BE ENTITLED AN ACT

To amend Section 25 of Act No. 1, Regular Session 1945 (Acts of Alabama 1945, p. 1), by increasing the permit fee for oil and gas wells and to regulate further the disposition and use of such permit fees.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 25 of Act No. 1, Regular Session 1945 (General Acts of Alabama 1945, p. 1), is hereby amended to read as follows:

"Section 25. Any person desiring or proposing to drill any well in search of oil or gas, before commencing the drilling of any such well, shall notify the State Oil and Gas Supervisor upon such form as the State Oil and Gas Supervisor may prescribe and shall pay to the State Treasurer a fee of \$250.00 for each such well. The drilling of any well is hereby prohibited until such notice is given and such fee has been paid as herein provided. The State Oil and Gas Supervisor shall have the power and authority to prescribe that the said form indicate the exact location of such well, the name and address of the owner, operator, contractor, driller, and any other person responsible for the conduct of drilling operations, the proposed depth of the well, the elevation of the well above sea level, and such other relevant information as the State Oil and Gas Supervisor may deem necessary or convenient to effectuate the purposes of this Act. All funds paid to the State Treasurer pursuant to the provisions of this section shall be paid into the general fund and disbursed by the State Treasurer upon warrants drawn by the State Oil and Gas Supervisor for the purpose of defraying expenses incurred by the State Oil and Gas Supervisor in the performance of his duties under this Act, provided, however, the amount of such expenses, including salary, travel, equipment and all items of cost necessary for the enforcement of the provisions of this Act shall be limited to the amount appropriated therefor by the legislature and shall be budgeted, allotted and expended pursuant to Code of Alabama 1940, Title 55, Chapter 4, Article 3."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 23; Nays 1.

Yeas:

Messrs. Adams, Baker, Edwards, Ellis, Fine, Flipppo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Pearson, Perloff, St. John, Shelby, Stewart, Vacca, Waldrop.

—23

Nay: Mr. Mitchell.

—1

And said Bill, H. B. 658, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 23; Nays 1.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Pearson, Perloff, St. John, Shelby, Stewart, Vacca, Waldrop.

—23

Nay: Mr. Mitchell.

—1

The Bill:

H. 638. An act relating to the development of small businesses; declaring the legislative intent to encourage state purchases from small businesses; requiring the Alabama Development office to assist small businesses and to otherwise coordinate activities relating thereto; providing that a meaningful percentage of state purchases and contracts be procured from small businesses; providing for interagency cooperation; providing for public hearings; requiring an annual report; authorizing appointment of an advisory council; providing an effective date.

having been postponed on the Thirty-fourth Legislative Day, was again taken up.

And said Bill, H. B. 638, was read a third time at length and passed.

Yeas 20; Nays 1.

Yeas:

Messrs. Adams, Edwards, Ellis, Fine, Flipppo, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Pearson, Perloff, St. John, Shelby, Stewart, Vacca.

—20

Nay: Mr. Baker.

—1

On motion of Mr. Fine, the Senate reconsidered the vote by which the Bill, H. B. 638, was passed.

On motion of Mr. Fine, further consideration of the Bill was temporarily postponed.

The Bill:

H. 80. To provide facilities for displaying certain aviation and other exhibits in cooperation with the Department of the Army; creating the Alabama Aviation Exhibit Commission as an agency of the State of

Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs. Adams, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Pearson, Perloff, Perry, St. John, Stewart, Vacca, Waldrop.

—22

Nays:

—0

The Bill:

H. 640. To exempt from the sales tax levied by Act 100, Second Special Session, Legislature of Alabama 1959, sales of sod by a farmer.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs. Adams, Baker, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Pearson, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—21

Nays:

—0

The Bill:

H. 81. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding (\$2,000,000.00) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Department of the Army.

Was read a third time at length as required by the Constitution, and passed.

Yeas 22; Nays 2.

Yeas:

Messrs. Adams, Clemon, Edwards, Fine, Flippo, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), Mims, Mitchell, Noonan, Pearson, Perry, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop.

—22

Nays: Messrs. Baker, McMillan.

—2

The Bill:

H. 39. To change the name of the "Director" of the Department of Labor to the "Commissioner" of the Department of Labor.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—26

Nays:

—0

The Bill:

H. 788. To further amend and reenact the Title and Act of Act No. 563, S. 8, Acts of Alabama 1965, Regular Session, at pages 1049-1050, as amended by Act No. 725, S. 82, Acts of Alabama 1967, Regular Session, at pages 1560-1561, relating to the reporting of incidents of abuse or neglect of children: by adding a new section 1, which gives definitions of "abuse", "neglect," "child" (meaning a person under the age of eighteen years), and "duly constituted authority"; by adding a new section 2, which gives the purpose of the Act; by amending section 1 to be section 3, to include further categories of persons who are required to report child abuse or neglect and to provide for reporting to a "duly constituted authority"; by adding a new section 4, which allows for permissive reporting of child abuse or neglect; by amending section 2 to be section 5; by adding a new section 6, which provides for protective custody of abused or neglected children; by adding a new section 7, which gives the duties of the department of pensions and security upon a receipt of a report of child abuse or neglect; by adding a new section 8 which provides for the establishment of a central registry of reports of child abuse and neglect and also provides for the confidentiality of such reports and records, with a violation of this provision of confidentiality being a misdemeanor and punishable accordingly; by amending section 3 to be section 9; by amending section 4 to be section 10 and by excepting the attorney client privilege from the provision whereby the doctrine of privileged communication is not grounds for excluding evidence in judicial proceedings resulting from reports of child abuse or neglect; by adding a new section 11, which provides that in every case involving an abused or neglected child which results in a judicial proceeding, an attorney will be appointed to represent the child; by adding a new section 12 which provides that the department of pensions and security may make regulations as may be necessary to implement this Act; by amending sections 5, 6, 7 and 8 to be sections 13, 14, 15, and 16 respectively; and by making further changes.

Was read a third time at length and passed.

Yeas 26; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore,

Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Pearson, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—26

Nay: Mr. Stewart.

—1

RESOLUTION

Mr. Foshee offered the following Senate Resolution, to-wit:

S. R. 160. TO ELIMINATE THE CONGESTION IN HALLS ADJACENT TO AND TO THE REAR OF THE SENATE CHAMBERS.

WHEREAS, this body notes that there exists an almost continuous state of congestion in the halls adjacent to and to the rear of the Senate Chambers which interferes with the orderly conduct of Senate business; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, That the halls adjacent to and to the rear of the Senate Chambers be cleared immediately of all persons who are not members of the legislature, employees of the legislature, employees of the Governor's and Lt. Governor's offices, or the Legislative Reference Service.

On motion of Mr. Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 405. To amend Section 367 of Title 52 Code of Alabama of 1940, as amended, which relates to the administration of the Teachers' Retirement System of Alabama; to provide that the election of certain trustees to the Board of Control of the Teachers' Retirement System be accomplished by an annual statewide election, conducted under the rules, regulations and supervision of said Board of Control; to provide that each member of the Retirement System shall be eligible to vote for each position subject to election; and to provide for the admissibility of microfilmed records.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McDonald (A), Mims, Mitchell, Noonan, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Wilson.

—22

Nays:

—0

The Bill:

H. 390. Proposing an amendment to Article 4, Section 106 of the Constitution of Alabama to reduce the time required for publication of notice of local legislation and also dispensing with the requirement of

spreading notice and proof of local legislation on the journals of each house by providing that the Clerk of the House or the Secretary of the Senate shall merely certify in the appropriate journal that notice and proof was attached to the local legislation and is attached as a matter of public record to the original copy of the bill filed in the Department of Archives and History.

was taken up.

The Standing Committee on State Government reported the following substitute for the Bill, H. B. 390, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 390

A BILL TO BE ENTITLED AN ACT

Proposing an amendment to Article 4, Section 106 of the Constitution of Alabama to dispense with the requirement of spreading notice and proof of local legislation on the journals of each house by providing that the Clerk of the House or the Secretary of the Senate shall merely certify in the appropriate journal that notice and proof was attached to the local legislation and is attached as a matter of public record to the original copy of the bill filed in the Department of Archives and History.

Be It Enacted by the Legislature of Alabama:

Section 1. Article 4, Section 106 of the Constitution of Alabama is hereby amended to read as follows:

"Section 106. No special, private, or local law shall be passed on any subject not enumerated in section 104 of this Constitution, except in reference to fixing the time of holding courts, unless notice of the intention to apply therefore shall have been published, without cost to the state, in the county or counties where the matter or thing to be affected may be situated, which notice shall state the substance of the proposed law and be published at least once a week for four consecutive weeks in some newspaper published in such county or counties or if there is no newspaper published therein, then by posting the said notice for two consecutive weeks at five different places in the county or counties prior to the introduction of the bill; and proof that said notice has been given shall be exhibited to each house of the legislature through a certification by the Clerk of the House or Secretary of the Senate that notice and proof was attached to the subject local legislation and the notice and proof shall be attached to the original copy of the subject bill and shall be filed in the Department of Archives and History where it shall constitute a public record. The courts shall pronounce void every special, private, or local law which the journals do not affirmatively show was passed in accordance with the provisions of this section.

"This amendment shall be self-executing, and no enabling legislation shall be necessary."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for at least four successive weeks next preceding the day appointed for the election in a newspaper in each county in the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

—21

Nays:

—0

And said Bill, H. B. 390, as thus amended by the substitute, was then read a third time at length as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

—21

Nays:

—0

The Bill:

H. 1623. To amend Section 2 of Act No. 1218, H. 342, Regular Session of 1973 (Acts 1973, p. 2065), which relates to appropriations for the renovation, repair, refurbishing, and refurnishing of certain state buildings so as to remove the line item conditional appropriations and appropriate the sum of Two Million Dollars.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca.

—24

Nays:

—0

The Bill:

H. 816. To name a certain building at Snead State Junior College.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Flipppo, Givhan, Jones, King, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Roberts, St. John, Shelby, Stewart, Vacca.

—21

Nays:

—0

The Bill:

H. 1075. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

was taken up.

Mr. Perloff offered the following amendment to the Bill, H. B. 1075, to-wit:

SENATE AMENDMENT TO H. B. 1075

Amend House Bill 1075 as follows:

On Page 1, Section 1, Line 33 delete the words "human foot" and substitute in lieu thereof the words "phalanges and metatarsals, but not the tarsals,"

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs. Baker, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), Mitchell, Pearson, Perloff, Roberts, St. John, Shelby, Torbert, Vacca.

—18

Nays:

—0

And said Bill, H. B. 1075, as thus amended, was then read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Flipppo, Gilmore, Givhan, King, Littleton, McDonald (S), Mims, Perloff, St. John, Shelby, Stewart, Torbert, Vacca.

—20

Nays:

—0

The Bill:

H. 316. To amend Act No. 246, Page 203, Acts of 1943, which relates to the investment of funds of counties, cities and towns so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States may be appointed as a depository of municipal or county funds.

Was read a third time at length and passed.

Yeas 16; Nays 2.

Abstaining 2.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Givhan, McDonald (S), Mims, Mitchell, Owen, Pearson, Roberts, Stewart, Torbert, Vacca.

— 16

Nays: Messrs. Baker, Flipppo.

— 2

Abstaining: Messrs. Littleton, St. John.

— 2

The Bill:

H. 318. To further amend Section 4, Title 12, Code of Alabama 1940, as amended, so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States, may be appointed as a depository for county funds.

Was read a third time at length and passed.

Yeas 18; Nays 2.

Abstaining 2.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, McDonald (A), Mims, Mitchell, Noonan, Pearson, Perloff, Shelby, Stewart, Torbert, Vacca.

— 18

Nays: Messrs. Baker, King.

— 2

Abstaining: Messrs. Littleton, St. John.

— 2

The Bill:

H. 948. To further amend the Code of Alabama 1940, Title 5, Section 81, which relates to legally required reserves of banks within the state, so as to add penalties for the violation thereof.

Was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Givhan, McMillan,

Mims, Mitchell, Perloff, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—18

Nays:

—0

The Bill:

H. 949. To authorize the Superintendent of Banks to expand the banking powers of Alabama banks or the powers of Alabama savings and loan associations or the powers of Alabama credit unions; to provide that any such additional powers shall not in the case of banks authorize activities which are not properly incident to the business of banking, and in the case of savings and loan associations or credit unions that such additional powers shall not authorize them to offer financial services now prohibited to them; to provide that no bank, savings and loan association and no credit union having their principal place of business outside of Alabama may engage in any such activities in Alabama unless the Superintendent of Banks and the appropriate regulatory authority outside of Alabama have entered agreements authorizing Alabama and non-Alabama institutions to exercise in Alabama and in such other jurisdiction reciprocal rights; to authorize the Superintendent of Banks to issue appropriate regulations; and to require Alabama banks, Alabama savings and loan associations, Alabama credit unions and any similar foreign entity to secure prior written permission of the Superintendent of Banks before exercising such additional powers in Alabama; to provide that the provisions of this Act are cumulative and severable; and to provide for an effective date.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Givhan, Jones, King, McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

—20

Nays:

—0

The Bill:

H. 747. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding \$3,000,000.00 for the purpose of providing and equipping permanent housing facilities for the display of certain exhibits.

Was read a third time at length as required by the Constitution, and passed.

Yeas 21; Nays 1.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Givhan, King,

Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Perloff, Roberts, Shelby, Stewart, Torbert, Vacca, Wilson.

—21

Nay: Mr. Baker.

—1

The Bill:

H. 748. To provide facilities in Talladega County for displaying certain antique automobiles, artifacts relating to the history of the automobile and historical displays relating to the automobile racing industry; creating the Motor Sports Hall of Fame Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Was read a third time at length and passed.

Yeas 17; Nays 1.

Yeas:

Messrs. Bank, Edwards, Ellis, Fine, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Perloff, Roberts, St. John, Shelby, Stewart, Vacca.

—17

Nay: Mr. Baker.

—1

The Bill:

H. 1194. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama which section provides for the issuance of revenue bonds by a board of water and sewer commissioners, by changing the rate of interest that such bonds may bear.

was taken up.

Mr. Vacca offered the following amendment to the Bill, H. B. 1194, to-wit:

AMENDMENT TO HOUSE BILL 1194

On line 31 of page 1 delete the figure 9 where it appears therein and insert in lieu thereof the figure 10.

Which was adopted.

Yeas 21; Nays 1.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Vacca, Wilson.

—21

Nay: Mr. Stewart.

—1

And said Bill, H. B. 1194, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 1.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Vacca, Wilson.

—21

Nay: Mr. Stewart.

—1

The Bill:

H. 1195. To exempt gas districts now or hereafter organized under the provisions of Act No. 762 adopted at the 1951 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 21; Nays 1.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Vacca, Wilson.

—21

Nay: Mr. Stewart.

—1

The Bill:

H. 1370. To exempt warrants issued by a county under the provisions of Act No. 1092 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying the cost of reappraisal of property as required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature of Alabama from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 21; Nays 1.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Vacca, Wilson.

—21

Nay: Mr. Stewart.

—1

The Bill:

H. 1371. To exempt warrants issued by a county under the provisions of Act No. 220 adopted at the 1967 Regular Session of the Legislature of Alabama in anticipation of and payable solely out of that portion of the highway gasoline tax required by law to be distributed to counties which are subject to the provisions of such Act from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 21; Nays 1.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Vacca, Wilson.

—21

Nay: Mr. Stewart.

—1

The Bill:

H. 1372. To exempt warrants issued by a county under the provisions of Act No. 1128 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying costs of acquiring and providing water works systems from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 21; Nays 1.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Vacca, Wilson.

—21

Nay: Mr. Stewart.

—1

The Bill:

H. 1373. To exempt warrants issued by a county under the provisions of Act No. 1092 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying the cost of reappraisal of property as required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature of Alabama from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

was taken up.

Mr. Vacca offered the following substitute for the Bill, H. B. 1373, to-wit:

SUBSTITUTE FOR HOUSE BILL 1373

A BILL
TO BE ENTITLED
AN ACT

To exempt waterworks boards now or hereafter organized under the provisions of Act No. 175 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Be It Enacted by the Legislature of Alabama:

Section 1. Each waterworks board now or hereafter organized under the provisions of Act No. 175 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, is hereby exempted from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Section 2. This act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 1.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Vacca, Wilson.

—21

Nay: Mr. Stewart.

—1

And said Bill, H. B. 1373, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 1.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Vacca, Wilson.

—21

Nay: Mr. Stewart.

—1

The Bill:

H. 1374. To exempt securities issued by any county payable from or secured by a pledge of any part of the tax proceeds of the special tax authorized to be levied under the second provisio of Section 215 of the

Constitution of Alabama of 1901, as amended by Amendment CCVIII, and Title 12, Sections 185, 186 and 191 of the Code of Alabama of 1940, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 21; Nays 1.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Vacca, Wilson.

—21

Nay: Mr. Stewart.

—1

RECESS

At 12 o'clock Noon, on motion of Mr. Wilson, the Senate took a recess until 1 o'clock this afternoon.

AFTERNOON SESSION

THIRTY-SIXTH LEGISLATIVE DAY

THURSDAY, OCTOBER 9, 1975

The Senate re-assembled at 1 o'clock in the Senate Chamber and was called to order by Lieutenant Governor Beasley.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

BILLS ON THIRD READING RESUMED

The Bill:

H. 1243. Relating to Mobile County; providing for the reapportionment of the Mobile County Board of School Commissioners to consist of five members elected from the House Districts or portions thereof which are located within the boundaries of Mobile County; providing for election and length of term for the new commissioners.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1243, to-wit:

AMENDMENT TO H. B. 1243

In Section 4, on page 2, strike out the words and figures, "Districts 2 and 3", and insert in lieu thereof the following: "Districts 3 and 4"

Also in Section 6, on page 2, strike out the following words and figures: "Districts 4 and 5", and insert in lieu thereof the following:

"Districts 2 and 5"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Noonan, Owen, Pearson, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

—0

The Standing Committee on Local Legislation No. 1 then reported the following amendment to the Bill, H. B. 1243, as amended, to-wit:

COMMITTEE AMENDMENT TO H. B. 1243,
AS AMENDED

Amend H. B. 1243 as follows:

On page 2 strike Section 5 in its entirety and insert in lieu thereof the following:

"Section 5. The member for District 1 shall be elected at the general election of November, 1978 for a term of two years and shall take office on the first Tuesday of January 1979, at which time Place 1 of the present School Board, scheduled for election in 1978, shall be abolished; and thereafter District 1 shall be elected at the general election held every four years."

Further amend H. B. 1243 as follows:

On page 2 in line 2 of Section 6 by striking the figures "1981" and inserting in lieu thereof the figures "1980".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (S), McMillan, Noonan, Owen, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

—0

The Standing Committee on Local Legislation No. 1 then reported the following amendment to the Bill, H. B. 1243, as amended, to-wit:

COMMITTEE AMENDMENT TO H. B. 1243,
AS AMENDED

Amend H. B. 1243, page 2, by inserting, after Section 6, the following new section:

Section 7. The present members of the Board of School Commissioners shall continue to serve until their successors are elected and qualified. Nothing contained in this Act shall be construed to prevent any such member from serving out any unexpired portion of his current term, nor shall it be construed to shorten the term of any such member.

Also, by renumbering subsequent sections accordingly.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

—0

And said Bill, H. B. 1243, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

—0

RESOLUTION

Messrs. Ellis, Clemon, McMillan, Pearson, Gilmore, Vacca, Littleton and Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 161. CREATING A JOINT INTERIM COMMITTEE TO STUDY THE PERMANENT FINANCING OF JEFFERSON COUNTY HEALTH DEPARTMENT AND TRANSIT AUTHORITY.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that there be and hereby is created an Interim Committee for the purpose of studying the permanent financing of the Jefferson County Health Department and public transit authority, to meet during the interim between the effective date of this resolution and the first session of the Legislature in 1976 following. Such Committee shall make a careful investigation and study into ways and means of permanently financing the Jefferson County Health Department and public transit authority for Jefferson County, and report in writing its findings and recommendations to the respective Jefferson County Senate and House delegations on or before the fifth legislative day of the first session of the Legislature in 1976.

The Committee shall be composed of the following persons: Three persons from the Jefferson County Senate delegation appointed by its chairman; three persons from the Jefferson County House delegation appointed by its chairman; the president of the Jefferson County Mayors' Association, president of the Jefferson County Commission, and the president of the Birmingham City Council; a representative selected by the Jefferson County Health Department and a representative selected by the Birmingham-Jefferson County Transit Authority.

The initial meeting shall be held at the call of the chairmen of the Senate and House delegations, and at that meeting the Committee shall elect from its membership a chairman and secretary. Thereafter, the meetings shall be held at the call of the elected chairman, at a time and place designated by the Committee. The Committee shall make its own rules for the conduct of its business. The elected chairman shall have full voting privileges. He may appoint subcommittees and invest them with such authority as may be deemed necessary to conduct the Committee's business and expedite its work. The Committee shall seek such professional and technical assistance as it may deem necessary in resolving the problems of the permanent financing of the Jefferson County Health Department and public transit authority.

The members of the Committee shall serve without compensation.

Upon the Committee rendering its written report to the respective delegations, the Committee shall stand dissolved.

On motion of Mr. Ellis, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 157. Relative to designating the road running from the I-65 Exit at Hayden's Corner to Rickwood Caverns the "Rickwood Caverns State Park Scenic Drive".

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 143. COMMENDING JAMES ALLEN (BEAU) JOHNSON, JR., FOR CONTINUING HIS EDUCATION WHILE SERVING IN THE U. S. AIR FORCE.

Also:

S. J. R. 147. COMMENDING THE BIRMINGHAM PUBLIC LIBRARY ON ITS BOOK-BY-MAIL PROGRAM FOR THE HANDICAPPED AND SENIOR CITIZENS OVER SIXTY-FIVE YEARS OF AGE.

Also:

S. J. R. 149. CONGRATULATING SENATOR PEARSON UPON HIS APPOINTMENT TO THE MILES COLLEGE BOARD OF TRUSTEES.

Also:

S. J. R. 151. EXPRESSING APPRECIATION TO THE MEMBERS OF THE MEDICAL ASSOCIATION OF THE STATE OF ALABAMA WHO PARTICIPATED IN THE "PHYSICIAN FOR A DAY" PROGRAM.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Smith (C):

H. J. R. 424. MOURNING THE DEATH OF REGINALD WILTON LAWLEY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 424, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate bill:

S. 1018. Relating to elections; to define "primary elections"; to provide party may choose to come under law; to define "political party"; to define the term "total vote"; to provide which elections are within the law; to provide for the date of elections; allows party to elect convention delegates by presidential preferential primary; to provide for party committees and their election; to provide for payment of expenses of primary elections; to provide method of filing declaration of candidacy and require party chairman to certify such candidates; to require candidates to be eligible to hold office; to provide for public notice to election; to establish who may vote in primary; to provide for method of registering voters by political party preference and requiring all voters in future primaries to be registered as a member of respective party; to provide for method of changing party registration; to allow parties to assess fees against candidates; to allow candidates to nominate election officers and provides for oath of said officers; to provide for official ballots and election stationery; to provide for ballot boxes and voting machines to be used; to

provide official form of ballot; provides method of challenging voters; to provide regulations for handling challenged ballots; to provide methods of casting votes; to provide for poll watchers; to provide for assistance to voters unable to read English; to provide duties of sheriff; to provide time of counting ballots; to provide for disposition of ballots, lists and supplies; to require public proclamation of the result; to provide for tabulation and declaration of results by precinct; to provide for declaration of candidate or nominee; to provide for date of second primary; to provide for breaking tie votes; to provide for certification of nominees to probate judge; to provide for filling vacancies in nominations; to provide for method, time and place of mass meetings; to provide penalties for violation of mass meeting law; and to repeal Code of Alabama 1940, Title 17, Chapter 2.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Smith (J), McMillan, and Hill.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Robertson:

H. J. R. 426. NAMING SENATE BILL 576 THE "LITTLETON-SMITH BILL".

WHEREAS, Senator Obie Littleton and Representative Curtis Smith, both of Clanton, Alabama, have worked tirelessly for the passage of the Confederate Memorial Park Bill, Senate Bill 576; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Senate Bill 576 be known as the "Littleton-Smith Bill."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 426, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Robertson, Merrill, Barron, Plaster, Folmar, Callahan, McCluskey, Naramore, Riddick, Waggoner, McNair, Weeks, Turnham and Coburn:

H. J. R. 425. MOURNING THE DEATH OF GEORGE ALBERT

CRAWFORD, BROTHER OF REPRESENTATIVE BUDDY CRAWFORD.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 425, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 600. Relating to the profession and practice of optometry; defining the practice and profession of optometry; providing for the licensing, examination, and regulation of optometrists; abolishing the State Board of Optometry; creating the Alabama Board of Optometry, and prescribing its powers, duties and authority; providing for the issuance of temporary licenses, limited licenses, licenses, license certificates and annual registration certificates, and prescribing the qualifications of persons to practice optometry; providing for the collection and disbursement of examination and other fees and charges; authorizing the Alabama Board of Optometry to examine applicants for licenses and license certificates, and to issue and deny licenses, and to conduct hearings and to initiate legal proceedings to impose sanctions against licensees for violating the provisions of this act; and providing for the enforcement of the act and prescribing penalties for violations thereof; repealing Chapter 11 of Title 46, Code of Alabama (1940) and any other laws which conflict with this act.

was taken up.

Mr. St. John offered the following amendment to the Bill, H. B. 600, to-wit:

AMENDMENT TO H. B. 600

Amend H. B. 600, Section 17, page 19, by deleting lines 26 through 30 and substituting in lieu thereof the following: "required for the sale, preparation or dispensing of eyeglasses or spectacles in a retail optical dispensary or from a store, shop or other permanently established place of business with an optical department on prescription of a duly licensed physician skilled in diseases of the eyes or a duly licensed optometrist authorized to practice under the laws of this state. Hard contact lenses may be sold or dispensed in a retail optical dispensary or other permanently established place of business with an optical department only when authorized by an optometrist or ophthalmologist and the prescription therefor contains all necessary data. Provided, however, this shall not be construed as authorizing any optician or other person selling eyeglasses or contact lenses on prescription as authorized above to use any instrumentation or determine any data by performing any type of examination or corneal evaluation necessary for the fitting of contact lenses or to use any drugs in relation thereto."

Also Amend H. B. 600, as amended, as follows:

Amend Section 2 of House Bill 600 by deleting paragraphs (1) and (2) and substituting in lieu thereof the following:

“(A) The practice of optometry is defined to be any of the following:

“(1) Any examination of the human eyes and visual system for the purpose of; (a) ascertaining any departure from the normal; (b) ascertaining the status of the human visual system, including the refractive and functional abilities thereof; or (c) ascertaining the presence of ocular disease or ocular manifestations of systemic disease and any other departure from the normal which may require referral to other health care practitioners.

“(2) The diagnosis and treatment of the refractive and functional ability of the visual system for the purpose of the prevention, rehabilitation, correction and relief of anomalies of the visual system or visually related symptoms or disabilities or the enhancement of visual performance in accordance with accepted teaching by means of any or all of the following: (a) the prescribing and employment of ophthalmic lenses, prisms, frames, ophthalmic aids, and prosthetic materials; (b) the prescribing and employment of contact lenses; (c) administering visual training, orthoptics and pleoptics; and (d) providing advice regarding environmental factors which influence visual performance, safety and comfort. Provided, however, nothing in this section shall be construed so as to permit the administering of drugs in any form or prescribing of drugs for the medical treatment of eye diseases or the performing of surgery of any nature for any purpose. Nothing in this section shall be construed so as to prevent the use and prescribing of the sof-lens or hydrophilic contact lenses and the solutions commonly used in the prescribing and fitting of contact lenses, and provided further that nothing in the Act shall be construed as repealing or affecting the provisions of Title 49, Section 32 (8), Code of Alabama 1940, as amended.”

Also Amend H. B. 600, as amended, as follows:

Amend House Bill 600 on page 19 by adding the following after the period at the end of line thirty (30) and renumbering subsequent lines:

“Provided, however, that nothing in this Act shall apply in any way to any licensed physician; nor to any physician assistant or ophthalmic assistant program conducted under any accredited state university program; nor to any physician's assistant as defined in Act No. 1948, Acts of Alabama, 1971 Regular Session Page 3146, approved September 20, 1971. Nothing in this Act shall be construed as preventing an ophthalmologist from using assistants normally used in his practice under his supervision in the office in which such ophthalmologist normally actually practices his profession, and nowhere else.”

Which was adopted.

Yeas 18; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, Littleton, McMillan, Mims, Noonan, St. John, Stewart, Torbert, Waldrop.

— 18

Nay: Mr. Roberts.

— 1

And said Bill, H. B. 600, as thus amended, was then read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Perry, St. John, Shelby, Stewart, Torbert, Waldrop.

—23

Nays:

—0

The Bill:

H. 1489. To amend a portion of Section 3, Act No. 1948, H. 1151, Acts of Alabama, 1971, Regular Session, page 3146, approved September 20, 1971.

was taken up.

The Standing Committee on Rules reported the following amendment to the Bill, H. B. 1489, to-wit:

AMENDMENT TO H. B. 1489

Amend H. B. 1489 by deleting the word "physician" on page 1, line 30, and inserting in lieu thereof "ophthalmologist".

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Perry, St. John, Shelby, Stewart, Torbert, Waldrop.

—23

Nays:

—0

And said Bill, H. B. 1489, as thus amended, was then read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Perry, St. John, Shelby, Stewart, Torbert, Waldrop.

—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 633. To authorize any county governing body in the Sixth Judicial Circuit to furnish to the office of District Attorney necessary personnel, equipment and supplies.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 992. To exempt from the sales tax levied by Act 100, Second Special Session, Legislature of Alabama 1959, sales of sod by a farmer.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Reed, Drake, Turnham, McNair, Crowe, Lewis, Porter, Hilliard, Cooper, Holmes, Harrison, Johnstone, Sandusky, Teague, Hopping, White, Martin, Naramore, Callahan, Kinsey, Sonnier, Harris, Smith (C), Smith (J), Baker, Whatley, Higginbotham, Crawford, Edwards, Dial, Lockett, McCluskey, Holley, Quarles, Albright, Hines, McMillan, Glass, Owens, Jackson (F), Burgess, Weeks, McNees, Howard, Robertson, Clark, Manley, Tucker, Sasser, Carter, Cross, Roberts, Killian, Smith (B), Andrews, Gafford, Kennedy, Armstrong, Pegues, Campbell, Greer, Carothers and Jackson (R):

H. 585. To amend Sections 1 and 4 of Act No. 590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 585. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1046. To prohibit the unauthorized copying of certain recorded articles for sale and the sale of such articles with knowledge that the sounds have been transferred thereon without the consent of the owner and providing punishment therefor.

Also:

H. 860. Relating to the Sixteenth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Also:

H. 291. Relating to taxation; amending Section 613, Title 51, Code of Alabama (1940), as last amended, which relates to the licensing of vending machines.

Also:

H. 451. To amend Section 584 of Title 7, Code of Alabama 1940, relating to the registration of judgments and decrees, so as to require the address of each defendant or respondent as shown in the court proceedings to appear on the certificate of registration.

Also:

H. 222. To provide that the boards of Alabama Institute for Deaf and Blind, Alabama Boys Industrial School, Alabama Girls Industrial School, and the Industrial School at Mt. Meigs shall grant personal leave to teachers.

Also:

H. 843. To establish an Alabama Women's Hall of Fame; to prescribe its purposes and membership; to provide for election of members and officers and for the holding of meetings; and to appropriate funds for the use of the Board in carrying out its purposes.

Also:

H. 1208. Relating to individual income taxation; providing further for deductions from gross income for state income tax purposes.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 343. CONGRATULATING HUNTSVILLE SENIOR HIGH SCHOOL UPON BEING AWARDED THE NATIONAL BELLAMY AWARD.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 407. COMMENDING JOHN L. WEBB.

Also:

H. J. R. 408. COMMENDING WALTER R. COSDON.

Also:

H. J. R. 414. MOURNING THE DEATH OF JACK BRADFORD SR. OF WALKER COUNTY.

Also:

H. J. R. 415. CONGRATULATING MR. AND MRS. N. B. UNDERWOOD ON THEIR GOLDEN WEDDING ANNIVERSARY.

Also:

H. J. R. 423. NAMING S. B. 152 THE HARRIS-JONES BILL.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

Also:

H. 1739. To authorize the county board of education in all counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census to provide transportation for public school pupils, in grades one through twelve, who live less than two miles from the school they are attending if the local county or city superintendent certifies the routes are dangerous or hazardous.

Also:

H. 1962. Relating to counties having populations of not less than 600,000 inhabitants; to levy an additional license tax on cigarettes in such counties; to provide for the enforcement hereof, the collection of the tax and the disposition of the proceeds thereof; and to provide penalties for violation of the provisions of this act.

Also:

H. 356. To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, to select and appoint a chief of the youth aid division, to provide for the appointment of the chief of the youth aid division, to provide for the salary of the chief of the youth aid division, and the method of payment of such salary.

Also:

H. 1939. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 1952. Relating to all cities having a population of 7,400 to 7,600 inhabitants, according to the most recent Federal Decennial Census; to provide that all city boards of education in such cities shall have the power to borrow against revenue derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such cities, at any time in the future, vote to prohibit legal sales of alcoholic beverages; to provide that all laws in conflict are hereby repealed; and its becoming effective upon its signing by the Governor or it otherwise becoming law.

Also:

H. 1953. To require the City of Centreville in Bibb County to establish a personnel and merit system under the supervision of the State Personnel Department and to repeal all conflicting statutes.

Also:

H. 1954. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

Also:

H. 1955. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

Also:

H. 1956. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; to prohibit the use of steel traps for the trapping of foxes prescribing a penalty for violation of this Act.

Also:

H. 1958. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; providing for the sheriff's expense allowance not to exceed \$8,000.00 per annum for the purchase of equipment and uniforms for sheriff and employees of sheriff's department in such counties.

Also:

H. 1965. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing for an increase in the annual expense allowance for the sheriff of such counties.

Also:

H. 1966. Relating to counties having a population of not less than 57,000 nor more than 61,000; to provide an additional expense allowance for the probate judge.

Also:

H. 1967. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for an additional expense allowance for the tax collector and the tax assessor.

Also:

H. 1968. To provide additional compensation for members of the jury commission in all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census.

Also:

H. 1969. Relating to all counties having populations of not less than 57,000 nor more than 61,000; providing further for the compensation and expenses of the circuit clerk and register in such counties.

Also:

H. 1949. To provide an additional expense allowance for the chairman and members of the county commission of all counties having a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census.

Also:

H. 90. Relating to counties having populations of not less than 27,900 nor more than 33,500; to provide an additional per diem and mileage expense allowance for jurors in such counties.

Also:

H. 1716. To provide for a retirement pension for members of the county governing body of St. Clair County, to set the eligibility requirements for such pension and the amount, including contributions to retirement fund, and method and source of payment thereof.

Also:

H. 1454. To add to the land limits of the City of Vestavia Hills in Jefferson County, Alabama, by removing certain area now part of the unincorporated area of Jefferson County, Alabama, and adding same to the land limits of the City of Vestavia Hills, and to describe the area so removed from the unincorporated area of Jefferson County, Alabama, and so added to the City of Vestavia Hills.

Also:

H. 1914. To create a county planning commission in every county in this state which has a population of not less than 27,900 nor more than 33,500, according to the most recent federal decennial census; to provide for the organization, membership, powers, personnel, jurisdiction, and financial and legal status of such commission; to authorize the commission to make subdivision regulations, a master plan, and to adopt zoning regulations for the development of the county; to provide for an election in each beat prior to the application of such authority of the commission in each beat; to grant the commission power to zone certain areas within the county and provide a procedure for the amendment of zoning regulations; to prohibit zoning regulations from being retroactive; to provide remedies for the enforcement of the provisions of this act; and to provide exceptions to such zoning regulations and for appeals from the decisions of the commission.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

INTERIM COMMITTEE REPORT FILED

The Report of the Interim Committee to study all facets of the state parks system of Alabama, created under the provisions of S. J. R. 39, Third Special Session, 1975, and extended under the provisions of S. J. R. 68, was read and ordered filed with the Secretary.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 80. To provide facilities for displaying certain aviation and other exhibits in cooperation with the Department of the Army; creating the Alabama Aviation Exhibit Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Also:

H. 39. To change the name of the "Director" of the Department of Labor to the "Commissioner" of the Department of Labor.

Also:

H. 640. To exempt from the sales tax levied by Act 100, Second Special Session, Legislature of Alabama 1959, sales of sod by a farmer.

Also:

H. 788. To further amend and reenact the Title and Act of Act No. 563, S. 8, Acts of Alabama 1965, Regular Session, at pages 1049-1050, as amended by Act No. 725, S. 82, Acts of Alabama 1967, Regular Session, at pages 1560-1561, relating to the reporting of incidents of abuse or neglect of children: by adding a new section 1, which gives definitions of "abuse", "neglect," "child" (meaning a person under the age of eighteen years), and "duly constituted authority"; by adding a new section 2, which gives the purpose of the Act; by amending section 1 to be section 3, to include further categories of persons who are required to report child abuse or neglect and to provide for reporting to a "duly constituted authority"; by adding a new section 4, which allows for permissive reporting of child abuse or neglect; by amending section 2 to be section 5; by adding a new section 6, which provides for protective custody of abused or neglected children; by adding a new section 7, which gives the duties of the department of pensions and security upon a receipt of a report of child abuse or neglect; by adding a new section 8 which provides for the establishment of a central registry of reports of child abuse and neglect and also provides for the confidentiality of such reports and records, with a violation of this provision of confidentiality being a misdemeanor and punishable accordingly; by amending section 3 to be section 9; by amending section 4 to be section 10 and by excepting the attorney client privilege from the provision whereby the doctrine of privileged communication is not grounds for excluding evidence in judicial proceedings resulting from reports of child abuse or neglect; by adding a new section 11, which provides that in every case involving an abused or

neglected child which results in a judicial proceeding, an attorney will be appointed to represent the child; by adding a new section 12 which provides that the department of pensions and security may make regulations as may be necessary to implement this Act; by amending sections 5, 6, 7 and 8 to be sections 13, 14, 15, and 16 respectively; and by making further changes.

Also:

H. 88. To amend Sections 1, 6 and 9 of Act No. 217, Senate 23, page 259, Volume 1, Acts of Alabama 1967, enacted at the 1967 Special Session of the Legislature of Alabama, as amended, relating to competitive bidding and the expenditure of public funds; to authorize cooperative purchasing among local purchasing agencies.

Also:

H. 119. To amend Code of Alabama 1940, Title 8, Sections 92 and 93 relative to maximum penalties for hunting on the property of another without permission.

Also:

H. 463. To amend Sections 10 and 15 of Act No. 784, H. 316, Regular Session 1953 (Acts 1953, p. 1069) regulating the use of commercial fishing gear in the public fresh waters of this state so as to increase the penalties for the violation of this act.

Also:

H. 1628. To amend Section 4 of Act No. 712, H. 48, Acts of Alabama 1951 (Acts 1951, Vol. II, p. 1250) relating to tourist advertising, to permit the purchase of intrastate advertising of state-owned parks by bureau of publicity and information.

Also:

H. 1669. To authorize the state of Alabama, acting through its agency, the Alabama state docks department, with the consent of the governor, to enter into contracts and agreements with the United States of America or any of its agencies for the purpose of acquiring from the United States of America, or any of its agencies, funds and facilities for public use in connection with waterways and navigation for which said funds are obtained and to comply with the provisions of Public Law No. 91-646 known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 in connection with such public projects for which Federal funds are available and used.

Also:

H. 1946. To name the state grain elevator at Phenix City, Alabama, the W. O. "Bill" Patterson Grain Elevator.

Also:

H. 81. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds to the State of Alabama in principal amount not exceeding (\$2,000,000.00) for the purpose

of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Department of the Army.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 424. MOURNING THE DEATH OF REGINALD WILTON LAWLEY.

Also:

H. J. R. 425. MOURNING THE DEATH OF GEORGE ALBERT CRAWFORD, BROTHER OF REPRESENTATIVE BUDDY CRAWFORD.

Also:

H. J. R. 426. NAMING SENATE BILL 576 THE "LITTLETON-SMITH BILL".

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 405. To amend Section 367 of Title 52 Code of Alabama of 1940, as amended, which relates to the administration of the Teachers' Retirement System of Alabama; to provide that the election of certain trustees to the Board of Control of the Teachers' Retirement System be accomplished by an annual statewide election, conducted under the rules, regulations and supervision of said Board of Control; to provide that each

member of the Retirement System shall be eligible to vote for each position subject to election; and to provide for the admissibility of microfilmed records.

Also:

H. 1623. To amend Section 2 of Act No. 1218, H. 342, Regular Session of 1973 (Acts 1973, p. 2065), which relates to appropriations for the renovation, repair, refurbishing, and refurnishing of certain state buildings so as to remove the line item conditional appropriations and appropriate the sum of Two Million Dollars.

Also:

H. 816. To name a certain building at Snead State Junior College.

Also:

H. 316. To amend Act No. 246, Page 203, Acts of 1943, which relates to the investment of funds of counties, cities and towns so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States may be appointed as a depository of municipal or county funds.

Also:

H. 318. To further amend Section 4, Title 12, Code of Alabama 1940, as amended, so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States, may be appointed as a depository for county funds.

Also:

H. 948. To further amend the Code of Alabama 1940, Title 5, Section 81, which relates to legally required reserves of banks within the state, so as to add penalties for the violation thereof.

Also:

H. 748. To provide facilities in Talladega County for displaying certain antique automobiles, artifacts relating to the history of the automobile and historical displays relating to the automobile racing industry; creating the Motor Sports Hall of Fame Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Also:

H. 1195. To exempt gas districts now or hereafter organized under the provisions of Act No. 762 adopted at the 1951 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 949. To authorize the Superintendent of Banks to expand the banking powers of Alabama banks or the powers of Alabama savings and

loan associations or the powers of Alabama credit unions; to provide that any such additional powers shall not in the case of banks authorize activities which are not properly incident to the business of banking, and in the case of savings and loan associations or credit unions that such additional powers shall not authorize them to offer financial services now prohibited to them; to provide that no bank, savings and loan association and no credit union having their principal place of business outside of Alabama may engage in any such activities in Alabama unless the Superintendent of Banks and the appropriate regulatory authority outside of Alabama have entered agreements authorizing Alabama and non-Alabama institutions to exercise in Alabama and in such other jurisdiction reciprocal rights; to authorize the Superintendent of Banks to issue appropriate regulations; and to require Alabama banks, Alabama savings and loan associations, Alabama credit unions and any similar foreign entity to secure prior written permission of the Superintendent of Banks before exercising such additional powers in Alabama; to provide that the provisions of this Act are cumulative and severable; and to provide for an effective date.

Also:

H. 1370. To exempt warrants issued by a county under the provisions of Act No. 1092 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying the cost of reappraisal of property as required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature of Alabama from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 1371. To exempt warrants issued by a county under the provisions of Act No. 220 adopted at the 1967 Regular Session of the Legislature of Alabama in anticipation of and payable solely out of that portion of the highway gasoline tax required by law to be distributed to counties which are subject to the provisions of such Act from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 1372. To exempt warrants issued by a county under the provisions of Act No. 1128 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying costs of acquiring and providing water works systems from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 1374. To exempt securities issued by any county payable from or secured by a pledge of any part of the tax proceeds of the special tax authorized to be levied under the second proviso of Section 215 of the Constitution of Alabama of 1901, as amended by Amendment CCVIII, and Title 12, Sections 185, 186 and 191 of the Code of Alabama of 1940, as amended, from the laws of the State of Alabama governing usury or

prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 747. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding \$3,000,000.00 for the purpose of providing and equipping permanent housing facilities for the display of certain exhibits.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

BILL RECONSIDERED

On motion of Mr. Littleton, the Senate reconsidered the vote by which the Bill:

H. 462. To provide an expense allowance for each member of the county commission of all counties having a population of not less than 27,900 nor more than 33,500 inhabitants according to the most recent federal decennial census, which shall supercede any provision heretofore made for expense allowances of such commissions; and providing that the provisions of this Act shall have a retroactive effect.

was passed earlier in the day.

On motion of Mr. Littleton, the Senate reconsidered the vote by which the Bill, H. B. 462, was ordered to its third reading.

Mr. Littleton then offered the following substitute for the Bill, H. B. 462, to-wit:

SUBSTITUTE FOR H. B. 462

A BILL TO BE ENTITLED AN ACT

To provide expense allowances, payable out of the county treasury of all counties having a population of not less than 27,900 nor more than 33,500 inhabitants according to the most recent federal decennial census, to certain officers, which expense allowances shall be in lieu of any expense allowances heretofore made for such officers; and to provide that the provisions of this Act shall have a retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply to all counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census.

Section 2. Each member of the county commission in any county to which this Act applies shall receive an expense allowance of \$300 per month. In addition, each member of the county commission may be reimbursed for travel and actual expenses incurred on official business outside the county. Said amount reimbursed shall not exceed \$900 per member per annum. The above expenses are in addition to any salary now authorized but in lieu of any existing travel expense or other expense allowance. The above expenses may be paid out of the gasoline tax fund accruing to the county.

Section 3. The judges of the circuit court in the circuit of which any county to which this Act applies is a part of the district attorney of such circuit shall, each, receive an expense allowance of \$500 per month. The above expense allowance shall be in addition to any salary now authorized for such judges and such district attorney by law but shall be in lieu of any existing expense allowance, payable out of the county treasury of any county to which this Act applies to such judges and to such district attorney. The above expense allowance shall be paid out of the general fund of the county.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this Act shall supersede all laws or parts of laws, general or special, which deal with the expense allowances or reimbursements of the officers hereinabove mentioned in the counties affected by this Act.

Section 6. This Act shall have retroactive effect to January 1, 1975.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 462, as thus amended by the substitute, was again read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 219. Relating to mobile home safety, making it unlawful to occupy a mobile home unless it is anchored to resist certain wind loads; providing the Alabama State Fire Marshal with authority to promulgate rules and regulations to enforce this act and providing criminal and other penalties for its violation.

Also:

S. 220. To amend Section 6 of Act No. 1938, H. 262, Regular Session 1971, approved September 20, 1971, which act establishes a Uniform Standards Code for the construction of mobile homes to be sold within this state so as to require the posting of bond by the dealer or manufacturer before the issuance of a license by the State Fire Marshal.

Also:

S. 633. To authorize any county governing body in the Sixth Judicial Circuit to furnish to the office of District Attorney necessary personnel, equipment and supplies.

Also:

S. 992. To exempt from the sales tax levied by Act 100, Second Special Session, Legislature of Alabama 1959, sales of sod by a farmer.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 143. COMMENDING JAMES ALLEN (BEAU) JOHNSON, JR., FOR CONTINUING HIS EDUCATION WHILE SERVING IN THE U.S. AIR FORCE.

Also:

S. J. R. 147. COMMENDING THE BIRMINGHAM PUBLIC LIBRARY ON ITS BOOK-BY-MAIL PROGRAM FOR THE HANDICAPPED AND SENIOR CITIZENS OVER SIXTY-FIVE YEARS OF AGE.

Also:

S. J. R. 149. CONGRATULATING SENATOR PEARSON UPON HIS APPOINTMENT TO THE MILES COLLEGE BOARD OF TRUSTEES.

Also:

S. J. R. 151. EXPRESSING APPRECIATION TO THE MEMBERS OF THE MEDICAL ASSOCIATION OF THE STATE OF ALABAMA WHO PARTICIPATED IN THE "PHYSICIAN FOR A DAY" PROGRAM.

Also:

S. J. R. 157. DESIGNATING THE ROAD RUNNING FROM THE I-65 EXIT AT HAYDEN'S CORNER TO RICKWOOD CAVERNS THE "RICKWOOD CAVERNS STATE PARK SCENIC DRIVE."

E. C. FOSHEE,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a new Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

and has discharged the House conferees.

And the Speaker of the House has appointed as a new Committee on the part of the House Messrs. Merrill, Manley and Owens.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1113. To provide for branch banking in Winston County.

Also:

S. 1241. To repeal Act No. 208, H. 130, Third Special Session of 1975, approved May 5, 1975, entitled "To apply only in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; to better secure the administration of the financial affairs of such counties by vesting in the chairman and members of the county commission a direct and effective financial supervision over all county offices, departments, boards and agencies; to provide for the annual initiation and preparation of a balanced budget of all revenue and expenditures for the County General Fund, Road and Bridge Fund, Gasoline Fund, Public Highway and Traffic Fund, and other funds, including a tentative budget and hearings on the same before adoption of a final budget; to prohibit expenditures in excess of budgeted amounts, and to provide personal civil liability for any department head or other official in charge who violates such prohibition; to provide for proration to prevent an overdraft or deficit; to provide for lapsing of sums budgeted but not expended; to provide that the county commission shall have authority to hire a central purchasing agent in order to make possible the most efficient and economical means of expending county funds; to regulate the office of central purchasing agent and to provide penalties for violations to set the effective date of this act and to repeal conflicting laws."

Also:

S. 1258. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

Also:

S. 1260. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

Also:

S. 1179. To provide for Supernumerary-Retired Probate Judges in all counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census; to prescribe the qualifications, term, duties, powers, authority, compensation and benefits of such supernumeraries; to provide for a Probate Judges Retirement Fund in such counties; to regulate the administration and supervision of said Fund and to repeal all conflicting statutes.

Also:

S. 571. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

Also:

S. 1174. To amend Section 3 of Act No. 1945, Regular Session of the 1971 Alabama Legislature to provide that in all counties having populations of not less than 300,000 nor more than 600,000 inhabitants according to the most recent or any subsequent federal decennial census, the county engineer need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of said county engineer's salary.

Also:

S. 480. To prohibit the operation of a motor or motorized vehicle upon coastal beaches or sand dunes of any island located within a county having a population of not less than 300,000 nor more than 600,000.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 851. Relating to Hale County; regulating and providing for the payment of compensation of election officers.

Also:

S. 852. Relating to Hale County; to provide that the county commission pay such a supplement to the pay of jurors so as to make their total pay \$20 per day.

Also:

S. 1071. Relating to Washington County; providing for the election of the county commission by the county at large; and providing for the residence of the commissioners from districts defined herein.

Also:

S. 866. Relating to Hale County; providing for an expense allowance, in lieu of all other expense allowances, for the members of the county governing body for their remaining terms of office and providing for a salary for each such person, in lieu of all other compensation, to take effect upon the expiration of the current terms of office.

Also:

S. 769. To amend Act No. 1178 of the 1973 Regular Session of the Legislature of the State of Alabama, which act established a court to be called the General Sessions Court of Madison County, so as to add thereto Section 18, so as to establish a Small Claims Division of said General Sessions Court of Madison County; to set the jurisdictional amount for claims to be processed through said Small Claims Division; to provide for the issuance of summons and complaints from said division; to provide for services of processes for claims handled through said division; to provide for filing fees and court costs for claims filed through said division; to provide for procedures, forms, and assistance to plaintiffs in the

preparation of claims; to provide for the Clerk of said Court to have authority to enter judgments by default; and to provide for the employment of additional clerks and facilities to assist the General Sessions Court in the implementation of this act.

Also:

S. 278. Relating to the 38th Judicial Circuit; to provide for additional Circuit Judge in such Circuit: defining his jurisdiction, powers, right and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 1097. To amend Sections 6, 15, 16, 17 and 18 of Act No. 183 enacted at the 1975 Third Special Session of the Legislature of Alabama so as to make different provision for the first term of office of any director of any hospital authority organized under said Act who are elected by the Central Labor Council; so as to delete the reference in said Act to the University of Alabama; so as to prohibit any employee of any such hospital authority or any hospital or other institution operated by it and any employee of certain other hospital or health care institutions from being a director of any such hospital authority; so as to provide, with respect to governmental immunity, that such hospital authorities may be sued in civil actions ex delicto to the same extent as county hospital boards organized under Act No. 46 (1949 Regular Session), as amended; so as to revise the provisions of said Act relating to the applicability of the rules and regulations of the State Ethics Commission and to provide that the provisions of Act No. 130 (1975 Regular Session) shall apply to the members of the Board of Directors of any such hospital authority to the same extent as to the boards or other similar governing bodies of similar local agencies whose members are elected or appointed by county or municipal governing bodies rather than by the electorate; so as to delete the requirement that all purchases, sales and contracts of such hospital authorities be administered in full compliance with Chapters 22 to 24, inclusive of Title 55 of the Code of Alabama of 1940, and to provide, in lieu thereof, that the provisions of Act No. 217 (1967 Regular Session), as amended, shall apply to such hospital authorities to the same extent as to other local governmental agencies specifically mentioned therein and that the provisions of Act No. 314 (1969 Regular Session) relating to insurance on public building contracts or public construction contracts shall be applicable to all such hospital authorities; and so as to revise the provisions of said Act requiring the publication of annual financial statements.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bank, the Senate non-concurred in the following

House amendment to the Bill, S. B. 1097, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT NO. 1 TO S. B. 1097

Amend S. B. 1097, page 2, the ninth line on such page, by inserting, after the word "agency" the words "or board"

Also, on the ninth line of page 2, by inserting after the word "electorate", the words

"or appointed as such by the appointing authority"

Also, page 6, the thirteenth line on said page, by striking through the word "and" after the word "agency" and inserting immediately thereafter the following words:

"or board"

Also, on the fourteenth line of said page 6, by inserting after the word "electorate", the following words:

" , or appointed as such by the appointing authority, "

AMENDMENT NO. 2 TO S. B. 1097

Amend S. B. 1097, page 1, line 14, by striking out the word "and" after the word "immunity"; also, page 1, line 22 by inserting, after the word "statements" the following words:

" ; and so as to require itemized disclosure, in the financial statements of the corporation, of the extent of direct or indirect business dealings between the corporation and any board member thereof. "

Also, page 2, line 32, by inserting, after the word "statements" the following words

" ; and so as to require itemized disclosure, in such financial statements of the extent of direct or indirect business dealings between the corporation and any board member thereof. "

Also, page 9, line 20, by inserting, after the word "year", the following words:

" , and a statement containing an itemized listing of any business transaction during that fiscal year between the corporation and any member of the board of directors of the corporation or any firm, association, corporation or partnership in which any such member is financially interested, and the amount of money or other value involved in such transaction. "

AMENDMENT NO. 3 TO S. B. 1097

Amend S. B. 1097, page 8, line 13, by striking through the word "agent" after the word "purchasing" and inserting immediately thereafter the word

"agents"

and on page two, line 18 change the word "agent" to "agents".

SUBSTITUTE FOR COMMITTEE SUBSTITUTE
FOR S. B. 1097

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 6, 15, 16, 17, 18 and 20 of Act No. 183 enacted at the 1975 Third Special Session of the Legislature of Alabama so as to make different provisions for the first term of office of any directors of any hospital authority organized under said Act who are elected by the Central Labor Council; so as to delete the reference in said Act to the University of Alabama; so as to prohibit (with certain exceptions) any employee of any such hospital authority or any hospital or other institution operated by it and any employee of certain other hospital or health care institutions from being a director of any such hospital authority; so as to prohibit any member of the governing board of any state, county or municipal authority or agency who was elected as such by the electorate from being a director of any such hospital authority; so as to provide that no such hospital authority shall have governmental sovereignty or immunity; so as to revise the provisions of said Act relating to the applicability of the rules and regulations of the State Ethics Commission and to provide that the provisions of Act No. 130 (1975 Regular Session) shall apply to the members of the Board of Directors of any such hospital authority; and to the administrator and the purchasing agent of such hospital; so as to delete the requirement that all purchases, sales and contracts of such hospital authorities be administered in full compliance with Chapters 22 to 24, inclusive, of Title 55 of the Code of Alabama of 1940, and to provide, in lieu thereof, that the competitive bid provisions of Act No. 217 (1967 Regular Session), as amended, shall apply to such hospital authorities to the same extent as to other local governmental agencies specifically mentioned therein and that the provisions of Act No. 314 (1969 Regular Session) and relating to insurance on public building contracts or public construction contracts shall be applicable to all such hospital authorities; and so as to revise the provisions of said Act requiring the publication of annual financial statements.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 6 of Act No. 183 enacted at the 1975 Third Special Session of the Legislature of Alabama shall be and hereby is amended to read as follows:

"Section 6. Board of Directors. The corporation shall have a board of directors in which all powers of the corporation shall be vested. The board of directors shall consist of (a) two persons elected by the governing body of the county, (b) two persons elected by the governing body of the largest of the member municipalities (according to the Federal Decennial Census next preceding the date of the filing of the certificate of incorporation of the corporation for record), (c) one person elected by the governing body of each of the other member municipalities, (d) two persons [each of whom shall be, at the time of his appointment, a physician licensed to practice the profession of medicine in the county, resident in the county and engaged in the full-time private practice of medicine] elected at a mass meeting of the licensed physicians resident in the county, (e) two persons elected or appointed by a majority vote of all the active circuit

judges of the judicial circuit in which the county is located (or, in the event that there is at the time only one active circuit judge in said circuit, by such judge) and whose names shall be certified to the corporation by instrument in writing signed by the presiding judge of such circuit (and of those initially so elected and appointed by said circuit judge or judges, one shall be designated an "A" director and the other a "B" director), and (f) two persons elected by the Central Labor Council in any county where there is a Central Labor Council located. Each member of the board of directors must be a duly qualified elector of the county.

The chief executive officer of the county shall, promptly after the certificate of incorporation of the corporation has been filed for record, as well as within a reasonable time prior to the expiration of the term of office of any director elected at a mass meeting of the physicians in the county and as promptly as practicable after the death, resignation or other vacation of office of any such director, cause to be published one time in a newspaper published in the county a notice of call of a meeting of all the licensed physicians resident in the county, for the purpose of electing one or more directors (as appropriate), and shall specify in such notice the place thereof (which shall be a public place located in the county) and the time thereof (which shall be not less than ten days after the date of such publication). The chief executive officer of the county, or his designee, shall preside (but shall have no vote) at each such meeting and shall thereafter issue to the corporation a certificate in writing showing the name or names of the director or directors elected thereat. Such election shall be held in such manner as the physicians attending such meeting shall provide, and any such meeting may be held and one or more directors elected thereat if at least one-third of the total number of licensed physicians resident in the county are present.

The first term of office of the directors elected by the governing bodies of each of the member municipalities shall expire on the May 1 of the calendar year next succeeding the calendar year in which the certificate of incorporation of the corporation was filed for record. The first term of office of the directors elected by the governing body of the county and of the "A" director elected or appointed by the active circuit judge or judges of the county as aforesaid shall expire on the May 1 of the second calendar year next succeeding the calendar year in which the certificate of incorporation of the corporation was filed for record. The first term of office of the directors elected at the aforesaid mass meeting of all the physicians in the county, of the directors (if any) elected by said Central Labor Council and of the "B" director elected or appointed by the active circuit judge or judges of the county as aforesaid shall expire on the May 1 of the third calendar year next succeeding the calendar year in which the certificate of incorporation of the corporation was filed for record. The term of office of each director elected or appointed thereafter (other than one elected or appointed to fill an unexpired term) shall be three years. Each member of the board of directors shall serve until his successor is elected and shall qualify. If any director dies or resigns or ceases to be a duly qualified elector of the county or becomes incapable or otherwise ineligible to act as a director, a successor to serve for the unexpired period of his term shall be elected or appointed by the electing or appointing authority by whom the deceased, resigning, incapable or ineligible director was elected. Directors shall be eligible to succeed themselves in office. The members of the board of directors shall serve without compensation, except they may be reimbursed for actual expenses incurred in the performance of their duties as directors. No director shall be an employee

of the corporation or of any hospital or other institution operated by it nor an employee of any other hospital or health-care institution in the county; provided however, that in the event the corporation proposes, according to its certificate of incorporation, to acquire an existing hospital then operated by another public corporation, agency, authority or body, any person who is then a member of the board or other governing body of such other public corporation, agency, authority or body may be elected and serve as a director of the corporation. No person who is a member of the governing board of any state, county or municipal authority or agency and who was elected as such by the electorate may be elected to or serve on the board of directors of the corporation.

A majority of the members of the board of directors shall constitute a quorum for the transaction of business but any meeting of such board may be adjourned from time to time by a majority of the directors present or may be so adjourned by a single director if such director is the only director present at such meeting. No vacancy in the membership of the board of directors shall impair the right of a quorum to exercise all the powers and duties of the corporation. The board of directors shall hold regular meetings at such times as may be provided in the bylaws of the corporation; and such board may hold other meetings at any time and from time to time, provided that upon call of the chairman or a majority of the total number of directors, a special meeting of the board of directors must be held. Whenever any notice is required hereby or by the bylaws of the corporation to be given of any meeting of the board of directors, a waiver thereof in writing signed (whether before or after such meeting) by the person or persons entitled to such notice shall be the equivalent to the giving of such notice. Any matter on which the board of directors is authorized to act may be acted upon at any regular, special or called meeting. At the request of any director, the vote on any question before the board of directors shall be taken by yeas and nays and entered upon the record. All proceedings of the board of directors shall be reduced to writing by the secretary of the corporation, recorded in an appropriate book or books. Copies of such proceedings, when certified by the secretary of the corporation under its seal, shall be received in all courts as evidence of the matters and things therein certified. All meetings of the board of directors shall be open to the public except as otherwise provided by law. Any member of the board of directors may be impeached and removed from office in the same manner and on the same grounds provided by Section 175 of the Constitution of Alabama and the general laws of the state for impeachment and removal of officers mentioned in said Section 175."

Section 2. Section 15 of said Act No. 183 shall be and hereby is amended to read as follows:

"Section 15. Concerning Suits and Actions against the Corporation. No hospital authorized under this Act shall have governmental sovereignty or immunity."

Section 3. Section 16 of said Act No. 183 shall be and hereby is amended to read as follows:

"Section 16. Applicability of Ethics Law. The provisions of Act No. 130 enacted at the 1975 Regular Session of the Legislature of Alabama and all subsequent amendments thereto or any subsequent act which may replace the same shall apply to the members of the Board of Directors of the corporation; the administrator, and the purchasing agent of such hospital."

Section 4. Section 17 of said Act No. 183 shall be and hereby is amended to read as follows:

"Section 17. Applicability of Certain Other Statutes. Those provisions of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama, as amended, requiring competitive bids for certain purchases and services shall apply to the corporation to the same extent as said provisions are applicable to the other local governmental agencies specifically mentioned therein. Further, the provisions of Act No. 314 enacted at the 1969 Regular Session of the Legislature of Alabama (relating to insurance on public building contracts or public construction contracts) shall apply to the corporation."

Section 5. Section 18 of said Act No. 183 shall be and hereby is amended to read as follows:

"Section 18. Publication of Financial Statements. The corporation shall, within a reasonable time following the close of each of its fiscal years, cause to be published in a daily newspaper published in the county that is a member of the corporation (if there is any such daily newspaper) a statement of financial condition containing a brief listing or summary of its assets and liabilities (including the principal amount of its outstanding bonds and other securities) at the close of such fiscal year and a statement containing a brief listing or summary of the expenditures made by it during such fiscal year."

Section 6. Section 20 of said Act No. 183 shall be and hereby is amended to read as follows:

"Section 20. Provisions Exclusive. Any corporation organized under the provisions of this act shall, insofar as the subject matter of this act is concerned, be governed exclusively by the provisions of this act, which shall not be construed in parti materia with any other statute. Any hospital authority which is organized under the provisions of this act and which has any outstanding bonds or other indebtedness shall be bound by the provisions of this act unless such hospital authority receives express legislative permission or approval to be exempt from said act."

Section 7. This act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

and requested a Committee on Conference.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Bank, Shelby and Gilmore.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 1104. To further provide for the education and training of deaf, blind and certain other persons and to further define the authority of the board of trustees of the Alabama Institute for Deaf and Blind.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 106. Relative to designating the racking horse as the official state horse.

Also:

S. J. R. 148. Relative to naming the H. B. 1601 which recently passed the legislature "The Summerville-Wagnon Extension Retirement Act of 1975".

Also:

S. J. R. 150. Relative to legislation creating a United States District Court for the Tennessee Valley District of Alabama.

Also:

S. J. R. 152. Relative to naming Butler County Road 5 the "Hank Williams Memorial Drive".

Also:

S. J. R. 153. Relative to naming Alabama Highway 18 between Berry and Fayette the D. C. "Deacon" Grey Memorial Highway.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 742. To amend Section 1 of Act No. 178, H. 94, Special Session 1969 (Acts 1969, p. 244), which provides for the compensation of jurors in Tuscaloosa County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration.

By Mr. Malone:

H. J. R. 402. NAMING THE PORTION OF HIGHWAY 43 WITHIN THE CITY LIMITS OF CHICKASAW, ALABAMA, "PERLOFF BOULEVARD".

WHEREAS the Perloff family has contributed greatly to the Mobile County Community; and

WHEREAS Senator Mayer W. "Mike" Perloff, in particular, has represented ably the needs of his Mobile County constituency; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the portion of Highway 43 which is located within the city limits of Chickasaw, Alabama be named the "Perloff Boulevard".

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Roberts, the Rules were suspended and the Resolution, H. J. R. 402, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Kinsey and McMillan:

H. J. R. 353. NAMING ALABAMA HIGHWAY 180 THAT RUNS FROM THE INTERSECTION OF HIGHWAY 59 THROUGH THE WESTERN-MOST POINT OF BALDWIN COUNTY THE FORT MORGAN PARKWAY.

WHEREAS, Fort Morgan is the repository of our richest historical assets and resoundingly echoes some of America's most dramatic moments; and

WHEREAS, the skeletons of Indians, Spanish, French, British, the Blue and the Grey meet in the brotherhood of an international grave; and

WHEREAS, it is reportedly on this site that in 1519 the first worship of God on the north American continent was recorded; and

WHEREAS, its port served as a refuge from the stormy gulf to the old sailing vessels of yore and was the trading center of commerce from the mid-sixteenth century to the mid-nineteenth century; and

WHEREAS, Isabella DeSoto spent the summer of 1540 planting oleanders in its soil, while waiting for her husband, the daring explorer who died on the banks of the Mississippi River; and

WHEREAS, after thirteen years of construction by slave labor Fort Bowyer was completed in 1828, and in 1833 was named Fort Morgan; and

WHEREAS, the Fort was built according to plans first designed by the great Renaissance artist, Michelangelo, wherein the stroke of the artist adorns with his genius the science of military skill, and is one of the only existing "Michelangelo Forts" in this nation, exhibiting the most beautiful specimen of brick architecture in North America and the only marbleized brick-work in America; and

WHEREAS, the "Hot-Shot" furnace located at Fort Morgan is the only original furnace of its kind left in the United States, and from this

furnace was made the cannon balls which in 1814 Andrew Jackson successfully fired against the British Flag Ship, "Hermes", which was strategic in concluding the War of 1812 changing the history of the world; and

WHEREAS, during the War of Mobile, in front of this fortress the most savage Naval battles during the Civil War occurred, and that the famous Admiral Farragut of the United States Navy shouted the historical phrase "Damn the torpedoes, full speed ahead"; and

WHEREAS, brave and gallant Confederate sons defended with heroism Fort Morgan from the raging bombardment of Farragut's ships and guns for nineteen days from August 5 through August 23, 1864; now, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that that portion of Alabama Highway 180 which lies in BALDWIN COUNTY and runs from the intersection of Alabama Highway 59 through the Western-most point of Baldwin County on Alabama Highway 180 at Fort Morgan be named the "Fort Morgan Parkway", and the State Highway Department shall cause appropriate signs and markers to be erected and maintained along said highway so designating it.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Owen, the Rules were suspended and the Resolution, H. J. R. 353, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered and has again passed the bill:

S. 464. To further amend Section 89, Title 36, Code of Alabama 1940, as amended, which section regulates the size of motor vehicles allowed to travel on the public highways of this state, so as to further regulate the size of certain motor vehicles.

the Governor's objection to the contrary notwithstanding, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 56, Nays 16.

And said bill, together with the Governor's objection thereto, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 478. To amend the title and Section 18 of Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 et. seq.) as amended, which relates to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census: to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon etc. so as to provide further for the distribution of license fees, taxes, commissions, and other monies received under the provisions of this Act, and to create a board for the purpose of distributing a portion of such monies.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Perloff, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 478, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 478

Amend Section 2 of Senate Bill 478 by deleting the word "Mobile" from the last sentence of Section 18(a).

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Jones, King, Little, McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 654. To establish and provide for a Schedule of Compensation for Deputy District Attorneys of the Sixth Judicial Circuit.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelby, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 654, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 654

A BILL TO BE ENTITLED AN ACT

To provide for supernumerary clerks of the circuit courts in the Sixth

Judicial Circuit of the state, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment out of the county treasury of their salaries.

Be It Enacted by the Legislature of Alabama:

Section 1. Any clerk of any circuit court in the Sixth Judicial Circuit of the State of Alabama, who has served for twenty-five years or more as an employee of the county, including seven years as circuit clerk of such county, who is not less than sixty years of age, may elect to become a supernumerary clerk of the circuit court of the county by filing a written declaration to that effect with the presiding judge of the circuit court of such circuit at least thirty days prior to the time he desires to become a supernumerary clerk. If such presiding judge shall find that the applicant is qualified as hereinabove set forth a commission as supernumerary clerk of the circuit court for such county shall thereupon be issued to the applicant by the appointing authority. The provisions of this act shall apply only to those persons who are in office at the time of the passage of this act or who may thereafter become eligible under its provisions.

Section 2. The supernumerary clerk shall take the oath of office prescribed for clerks of the circuit court in this state and if a vacancy shall occur in the office of circuit clerk of the county, the appointing authority shall immediately appoint one such supernumerary from the county, if the appointing authority determines that there is one or more such supernumerary in the county suitably qualified, and such supernumerary circuit clerk so appointed shall immediately assume and exercise all the duties, powers and authority of the circuit clerk in said county until the permanent successor to such circuit clerk is appointed or otherwise selected. All fees and commissions which may become due while such supernumerary is so acting shall be paid into the county general fund and the salaries of the employees of such office shall be paid by the county governing body during such period.

Section 3. Each such supernumerary circuit clerk shall serve for life and shall receive in equal monthly installments of \$600.00 each on the first of each month an annual salary of \$7,200.00, payable from the general fund of the county.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 481. To amend Act No. 2441, of the 1971 Legislature (Acts, 1971, page 3903), entitled "An Act to provide that the governing body of any municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, may appoint the chief of police of such a municipality in event of a vacancy, from the number of officers of the police force who hold the rank of captain or above, without regard to any Civil Service or Personnel Board rules or regulations concerning such appointment and providing that such Personnel Board may fix the compensation of said chief of police, his status in any Civil Service System in such municipality."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Roberts, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 481, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 481

Amend Senate Bill 481 by deleting Section 4 in its entirety and inserting therefor the following:

Section 4. The provisions of this act shall be retroactive to January 1, 1975.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 952. To repeal Act No. 796, H. 1033, Regular Session 1971 (Acts 1971, p. 1530) and to repeal Act No. 144, H. 130, First Special Session 1971 (Acts 1971, p. 228), both Acts entitled, "An Act Relating to municipalities having a population of not less than 70,000 nor more than 300,000

according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDonald (A), the Senate concurred in and adopted the following House amendment to the Bill, S. B. 952, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. 952

A BILL TO BE ENTITLED AN ACT

To amend Act No. 796, H. 1033, Regular Session 1971 (Acts 1971, p. 1530) entitled, "An Act Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 (f) of Act No. 796, H. 1033, Regular Session 1971 (Acts 1971, p. 1530) is hereby amended to read as follows:

(f) Members of any boards of education elected hereunder shall take office on the first Monday in October in the year of their election.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, King, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Wilson.

—25

Nays:

—0

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount and continuing order of business for the day, the first of which was the Bill:

H. 489. To make annual appropriations for the support, maintenance, and development of public education in Alabama for the fiscal year ending September 30, 1976.

Mr. Owen offered the following substitute for the Bill, H. B. 489, to-wit:

SUBSTITUTE FOR H. B. NO. 489

A BILL TO BE ENTITLED AN ACT

To make appropriations for the support, maintenance, and development of public education in Alabama for the fiscal year ending September 30, 1976.

Be It Enacted by the Legislature of Alabama:

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions, including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rental and items of general expense not defined as "equipment purchases", and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment, motor vehicle equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of the fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 2. The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1976, and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama, 1940) and shall be in the amounts specified in said sections.

Section 3. STATE BOARD OF EDUCATION:

A. For Adult Basic Education:

To be used to match Federal Funds for a removal of illiteracy program	\$300,000.00
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B. Agricultural and Mechanical University:

For the operation and maintenance of the University		5,194,000.00
C. Civil Defense Survival Plan:		
For salaries and other expenses only, in the operation of the Civil Defense Plan		17,000.00
D. Civilian Rehabilitation:		
For the vocational rehabilitation of handicapped individuals.	\$4,860,000.00	
For the Governor's Committee on Employment of Handicapped. . .	40,000.00	
For rehabilitation and continuing care of spinal cord injured and other severely physically handicapped individuals.	500,000.00	
For Medical Services, adjustment training and attendant care for paraplegics and quadraplegics ..	600,000.00	
Total		6,000,000.00
E. For Compact for Education		15,750.00
(To be expended in accordance with Act No. 1143, 1969 Regular Session.)		
F. Coordination of In-School Television Program:		
For salaries	80,000.00	
For other expenses	19,000.00	
For equipment purchases	1,000.00	
Total		100,000.00
G. For Driver Education, School Bus Driver Training and Vehicle Safety Inspection:		
For salaries	218,000.00	
For other expenses	80,000.00	
For equipment purchases	4,000.00	
Total		302,000.00
H. For Driver Education		4,415,000.00
I. Drug Education Program:		
For the necessary education on drug abuse:		
For other salaries and other expenses.	122,125.00	
For equipment purchases	1,500.00	
Total		123,625.00
J. For legal reference manual for all local school boards		50,000.00
K. DEPARTMENT OF EDUCATION:		
(a) For the Department of Education:		
For salary of State Superintendent.	27,208.00	
For other salaries	1,036,992.00	
For other expenses	160,000.00	
For rental expenses.	475,000.00	
For equipment purchases. . .	20,000.00	

For transfer to State Personnel Department.....	30,800.00	
Total		1,750,000.00
(b) For the "Right to Read Program"		50,000.00
(c) Teachers Training and Certification:		
For salaries	140,000.00	
For other expenses	58,000.00	
For equipment purchases....	2,000.00	
Total		200,000.00
(d) Public Kindergarten Program:		
For administration		10,000.00
(e) There is hereby appropriated to the State Department of Education for the exclusive purpose of purchasing from Capitol Development Company, Ltd. certain real property the legal description of which is set out in recorded mortgage deed at Real Property Vol. 193 at pages 813 through 825 in Montgomery County. Said property contains 68,000 square feet more or less in the City of Montgomery in a city block bounded by the streets of Washington Avenue, Decatur Street, Hull Street and Adams Avenue the sum of \$1,611,000.00.		
There is hereby appropriated to the State Department of Education for the exclusive purpose of purchasing and exercising an option held by Capitol Development Company, Ltd. to purchase from the Scottish Rite Association of Alabama certain real property adjacent and contiguous to the above described property of Capitol Development Company, Ltd., the sum of \$475,250.00.		
The State Department of Education shall purchase the property for which appropriations are herein provided no later than thirty (30) days after the effective date of this act. The Legislature hereby mandates the expenditure of the sums appropriated herein for the above stated purposes, notwithstanding Title 52, Section 102 of the Code of Alabama 1940 (recompiled 1958).		
L. Elementary Teachers Scholarship Fund		25,000.00
M. Free Textbooks:		
For salaries	63,332.00	
For other expenses	40,000.00	
For disbursements to local boards	62,250.00	
For equipment purchases	1,000.00	
For repair of used and the purchase of new textbooks	6,318,418.00	
For operation of Course Study Commission	15,000.00	

Total.....	6,500,000.00
N. Alabama School of Fine Arts:	
For operation and maintenance	300,000.00
O. Department of Education In-Service Training:	
For salaries	200,000.00
For other expenses	50,000.00
For disbursement to local boards of education allocated on an earned teacher-unit basis when a plan for in-service education submitted by the local system is approved by the State Depart- ment of Education.....	749,000.00
For equipment purchases	1,000.00
Total.....	1,000,000.00
P. Junior College Equalization Account:	
For operation and maintenance of the Junior Colleges listed below, to be distributed on a formula adopted by the State Board of Ed- ucation.....	28,500,000.00
Of the amount above beginning with the fiscal year 1975-76 in addition to the salary received and all salary schedule increments due, all professional staff employed shall receive an increase of not less than twelve and seven- hundredths per centum (12.07%) of the state junior college salary schedule for the school year 1974-75.	
Of the above appropriations contained herein Section 3, paragraph P not more than the sum of \$200,000.00 may be used by the State Board of Education for administration of the state junior college program.	
Junior College Equalization Account:	
For operation and maintenance of the Junior Colleges listed below, to be distributed on a formula adopted by the State Board of Edu- cation.....	1,000,000.00
The above appropriation in the amount of 1,000,000.00 shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.	
(The above appropriations in Section 3.P. are to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City) (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior	

College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College.

Of the above amount appropriated to S. D. Bishop State Junior College, \$35,000.00 shall be expended for the operation of the School of Mortuary Science.

Q. For matching federal funds available under the provisions of the Comprehensive Employment and Training Act of 1973 400,000.00

R. Minimum Program Fund:

(a) In addition to all other funds appropriated for the public elementary and high schools of the State, there is hereby appropriated to the State Board of Education for the fiscal year ending September 30, 1976, the sum of \$358,870,776 to be known as the Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided, that so much thereof as may be necessary of the above appropriations shall be used by the State Board of Education to provide for additional teacher units for each school system in the State which on the basis of current school attendance shall be entitled to additional teacher units over the number allowed based on the year immediately preceding said current year; provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax Amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds, either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

(b) It is provided that from the appropriation hereinabove made the State Board of Education shall allocate and pay from said appropriation not less than three hundred fifty-five (355) additional teacher units for the program for exceptional children over and above the current allocation. Twenty-five (25) of the teacher units appropriated may be used in early education programs for exceptional children and twenty-five (25) teacher units may be used in regional multi-system, and/or state-wide programs for exceptional children.

(c) In addition to teacher units allocated above, it is further provided

that 700 additional regular teacher units shall be made available for allocation in grades 1-3 of the county and city school systems for the fiscal year ending September 30, 1976. It is the intent of the legislature that priority be given to reduction of class size in grades 1-3, therefore the Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the legislature is implemented. Any teacher units allocated under the provisions of this section shall be used in grades 1-3 unless the pupil-teacher ratio of 25-1 has already been achieved. In such event, the units may be used in grades 4-6.

(d) All special education units other than the early childhood and multi-system units, and units to reduce the number of pupils in grades 1-3 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may not be reallocated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1974-75 school year. Unallocated units shall remain earmarked for the systems designated for use during subsequent fiscal years.

(e) Of the amount appropriated above in sub-section (a) two hundred and fifty dollars (\$250) per teacher unit for grades 1-6 and three hundred dollars (\$300) per teacher unit for grades 7-12 is herein appropriated to the State Board of Education for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. Each local county and city board of education shall allocate to the schools in their respective systems an amount as set forth hereinabove for each teacher unit in such school provided from funds from the State. The faculty and principal of each school shall determine the amount to be allocated for the operation of the instructional program to each teacher within the school and shall submit a schedule of allotment for each teacher to the local board of education. The local school board shall issue purchase orders and pay invoices and shall handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In non-required courses local school boards may set reasonable fees for courses requiring laboratory and shop materials and equipment; provided, however, such fees shall be waived for students who cannot afford to pay the fees. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. There is hereby appropriated in addition to that above the sum of \$10,029,700.

(f) It is provided that beginning with the fiscal year 1975-76 that in addition to the salary now received, and all other local increments due, all teachers under the Minimum Program shall receive a salary increase as follows: AA teachers not less than twelve hundred thirty-two dollars (\$1232) per annum; Rank I teachers not less than one thousand one hundred sixty dollars (\$1,160) per annum; Rank II teachers not less than one thousand dollars (\$1,000) per annum; Rank III teachers not less than one thousand dollars (\$1,000) per annum; Rank IV teachers not less than one thousand dollars (\$1,000) per annum. Any county or city board of education failing to comply herewith shall not be entitled to participate in the minimum Program Fund. All school bus drivers shall receive a salary increase of not less than twelve per centum (12%) per annum, and any

county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

(g) It is provided that in addition to all units earned by the local school system under the Minimum Program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fractions thereof earned in said Minimum Program Fund calculation including regular and special education units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce during the school year the number of teachers it employed with the local funds during the school year 1974-75 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios. The local school system shall furnish the State Department of Education such information as may be necessary to determine that the provisions of this section have been implemented.

(h) In addition to the appropriation hereinabove made to the Minimum Program, there is hereby appropriated funds for two (2) days personal leave at \$17.00 per teacher unit for each teacher earned under the Minimum Program formula to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1976, the sum of \$1,039,482.00.

(i) In addition to the appropriation hereinabove made to the Minimum Program (Sub-section R) and Vocational Education (Sub-section AA) and Driver Education (Sub-section H) in grades 1-12, there is hereby appropriated the sum of Two Hundred Sixteen Dollars (\$216.00) per annum per teacher, administrative or supervisory unit as located under the Minimum Program and the Vocational Education Program and Driver Education Program (and other units funded from state and local funds) to provide hospital-medical insurance assistance. These funds shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund. There is hereby appropriated the sum of \$6,603,768.00 for the fiscal year ending September 30, 1976, for the purpose of carrying out the provisions of this sub-section.

(j) In either the 7th, 8th or 9th grade in every school system in this State, there shall be taught for one school year a course in Alabama Government, which course shall include City, County, and State Governmental organization, duties and functions at City, County and State Governmental levels.

(k) In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For "Other Current Expenses" a sum not to exceed \$1,543.43 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$100.00 for each earned teacher unit.

For capital outlay the sum shall not exceed \$64.87 for each earned teacher unit.

Sick leave days shall be paid at the rate of \$17.00 per day.

The salary allotment shall be made in accordance with the schedule set out herein above.

For transportation the allotment shall be made in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$22,866,490.

The appropriation herein above set out for the fiscal year 1975-76 in the amount of \$366,514,026.00 is based on 30,573 teacher units.

It is provided that in the event there are more than 30,573 earned teacher units and special education units in the fiscal year 1975-76, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided that in the event that there be less earned teacher units than those set out above than the amount that would have been necessary to pay for these earned teacher units shall not be allotted or paid out.

S. Administration of Program for Exceptional

Children and Youth:

For salaries and other expenses ..	\$326,812.00	
For equipment purchases	<u>100,000.00</u>	
Total		\$426,812.00

The appropriation hereinabove made for salaries and other expenses shall be expended by the State Board of Education for the cost incurred by the State Department of Education in the administration of this program.

T. National Defense Education Program..... 275,000.00

U. Physical Restoration of Crippled Children
(Crippled Children's Service):

For salaries	450,000.00	
For handicapped individuals	<u>2,800,000.00</u>	
Total		3,250,000.00

V. To the Department of Education for Plans and
Surveys:

For salaries	56,000.00	
For other expenses	<u>16,500.00</u>	
Total		72,500.00

W. For Regional Education \$161,420.00

X. Alabama State University:

For the operation and maintenance of the
University of Montgomery..... 4,976,000.00

Y. State Tenure Commission:

For expense of operation..... 7,500.00

Z. For training Teachers of Exceptional Teachers . 250,000.00

AA. (a) Vocational Education:

For salaries	75,000.00	
For other expenses	37,150.00	
For rental expenses	9,529.00	
For equipment purchases.	1,500.00	
For Adult and Apprenticeship education.....	800,000.00	
For distributions to local board and institutions	28,985,734.00	
Total		29,908,913.00

Of the amount listed above for the distribution to local boards of education beginning with the fiscal year 1975-76 in addition to the salary received and all salary increments due, all vocational teachers shall receive a salary increase of not less than twelve and seven hundredths per centum (12.07%) of the state vocational salary schedule for the school year 1974-75.

The appropriation hereinabove shall be disbursed or obligated in accordance with a formula adopted by the State Board of Education. The total allocation of vocational teacher units to each county and city board of education shall be at least equal to the number received by the respective board during the preceding fiscal year. In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education Formula.

(b) For Industrial Development training; to be used for industrial purposes only 1,450,000.00

BB. State Vocational Technical School Equalization Account:

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education 22,000,000.00

Of the amount above beginning with the fiscal year 1975-76 in addition to the salary received and all salary schedule increments due, all professional staff employed shall receive an increase of not less than twelve and seven-hundredths per centum (12.07%) of the state vocational-technical salary schedule for the school year 1975-75.

Of the above appropriations contained herein Section 3, paragraph BB, not more than the sum of \$200,000 may be used by the State Board of Education for administration of the vocational-technical program.

The above appropriation is to be distributed to the following Vocational Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabaam Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College-Technical Branch; (7) J. F. Drake State Technical College; (8) Carver State Technical Trade School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Vocational School; (12) Theodore A. Lawson State Community College-Technical Branch; (13) Douglas MacArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnolley State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State

Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Councill Trenholm State Technical College; (24) Tuscaloosa State Technical College; (25) Walker County State Trade School; (26) George Corley Wallace State Community College-Technical Branch (Selma); (27) George C. Wallace State Community College-Technical Branch (Dothan); (28) George C. Wallace State Technical Community College (Hanceville).

CC. Southern Vocational College, Tuskegee For operational maintenance.	50,000.00
(This appropriation shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.)	
DD. Transfer to Telephone Revolving Fund	859,512.00
EE. State Department of Education: Appropriate the sum of \$15,000.00 to eleven City and County School Systems which participate in the Pilot Program of Educational Program Management Budgeting. The Systems participating shall be eligible upon certification by the Alabama Education Study Commission to the State Department of Education of the systems participating in this Pilot Program. All monies not used for this purpose shall revert to the Alabama Special Education Trust Fund	165,000.00

Section 4. BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA:

A. The University:

(1) For operation and maintenance.	26,605,000.00
(2) Gadsden Cooperative Upper Division Program	160,000.00
(3) For Emotionally Disturbed Children	275,000.00
(4) College of Community Health Sciences	1,400,000.00
(5) For Public Service, Research and Extension	1,516,000.00
(6) For Nursing Scholarships	18,000.00
(7) Psychology Department	100,000.00
(8) Family Practice Clinics	500,000.00
(9) Museum of Natural History-Moundville State Park.	126,000.00
(10) Jones Law School, Montgomery	125,000.00
(11) Center for Vocational and Adult Teacher Education	100,000.00

B. The University—Birmingham:

(1) For the University College: Operation and maintenance.	9,655,000.00
(2) For the School of Community and Allied Health Resources	1,123,000.00
(3) For the School of Dentistry: For operation and maintenance.	5,000,000.00

(4) For Diabetes Clinics: For operation and maintenance	250,000.00
(5) Extension, Public Service and Research.	500,000.00
(6) Urology Department: Treatment Research and Development.	400,000.00
(7) Regional Technical Institute: For operation and maintenance.	1,034,000.00
(8) For Joint Health Science Program: For operation and maintenance.	1,280,000.00
(9) For Center for Labor Education and Research	250,000.00
(10) For Medical School:	
(a) For operation and maintenance	9,132,000.00
(b) For operation and maintenance of Medical Information Service via Telephone.	100,000.00
(c) For Department of Pediatrics	300,000.00
(11) For Lurleen B. Wallace Cancer Program: For operation and maintenance.	250,000.00
(12) For School of Nursing: For operation and maintenance.	1,644,000.00
(13) For School of Nursing—Scholarships.	88,400.00
(14) For Student Nurses—Loan Fund	12,000.00
(15) For School of Optometry: For operation and maintenance.	1,000,000.00
(16) For the University Hospital and Clinics.	2,100,000.00
(17) Spinal-Cord Injury Program	175,000.00
(18) For Family Residency Program:	
(a) Anniston	200,000.00
(b) Heflin	50,000.00
(c) Florence	200,000.00
(d) Jefferson County.	200,000.00
(e) Tuscaloosa.	200,000.00
(f) Montgomery	200,000.00
(g) Pike County	200,000.00
(19) For construction and renovation at Diabetes Research and Education hospital (Bir- mingham)	1,000,000.00
C. The University—Huntsville:	
(1) For operation and maintenance.	4,256,000.00
(2) (a) For School of Medicine (School of Primary Medical Care)	1,900,000.00
(b) For Ambulatory Care Center	350,000.00
(3) For Division of Nursing—Scholarships	18,000.00
(To be expended in accordance with Act No. 2290, 1971 Regular Session.)	

(4) Environmental Science Center	250,000.00
(5) Motor Vehicle Research Center (1.6% State Cost-Grant).....	50,000.00
(6) School of Nursing.....	600,000.00

Section 5. BOARD OF TRUSTEES OF AUBURN UNIVERSITY:

A. The College:

(1) For operation and maintenance.....	26,605,000.00
(2) Engineering Experiment Station	475,000.00
(3) Television Education	300,000.00
(4) Center for Vocational and Adult Teacher Education	500,000.00
(5) For Public Service, Research and Extension	1,000,000.00
The funds provided in Section 5.A. (4) shall be used for the support of under-graduate and graduate teacher education, research, and in-service extension activities in vocational, technical and adult education.	
(6) Psychology Department	100,000.00
(7) Wildfire Research Unit	50,000.00

B. Agriculture Research:

Alabama Agriculture Experiment Station at Auburn, for work and experimentation	5,460,000.00
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That all research work and experimentation contemplated by the spirit and purpose of Section 5.B shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1976.

The funds provided in Section 5.C shall be used for the support of researchers, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production; marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, cure, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaptation and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researchers to discover new uses of land; for the provisions of necessary land, buildings, fencing livestock and other physical equipment needed for the research work herein provided for; for researchers in game and fish production; provided, however, that any researchers in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the

State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their objective the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

C. Extension Work for Agriculture and Home Economics:

For advising, demonstrating and informing people of Alabama in agricultural, farm and home pursuits, and other extension services. . . 6,430,000.00

The appropriation herein made for the Extension Service shall be expended the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

D. Auburn University—Montgomery, Alabama:

For operation and maintenance 4,410,000.00
For Montgomery Area Community Health Sciences Institute 110,000.00

Section 6. BOARD OF TRUSTEES OF JACKSONVILLE STATE UNIVERSITY:

For operation and maintenance 7,262,000.00
For School of Nursing Scholarships 18,000.00
(To be expended in accordance with Act No. 228, 1971 Regular Session)
For Gadsden Program 245,000.00

Section 7. BOARD OF TRUSTEES OF LIVINGSTON UNIVERSITY:

For operation and maintenance 2,375,000.00
For School of Nursing Scholarships 18,000.00

Section 8. BOARD OF TRUSTEES OF UNIVERSITY OF MONTEVALLO:

For operation and maintenance 4,168,000.00
For Speech and Hearing Clinic 150,000.00
For operation and maintenance of a Highway Safety Program 110,000.00

Section 9. BOARD OF TRUSTEES OF UNIVERSITY OF NORTH ALABAMA:

For operation and maintenance 4,900,000.00
For School of Nursing Scholarships 18,000.00
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)

Section 10. BOARD OF TRUSTEES OF THE UNIVERSITY OF SOUTH ALABAMA:

(a) For operation and maintenance 7,192,000.00
(b) For Coordinate College for Health Professions. . 542,000.00
(c) For the operation and maintenance of a College of Medicine 5,650,000.00

- | | |
|---|------------|
| (d) For Family Residency Program—Baldwin County | 200,000.00 |
| (e) For Nursing Scholarships.
(To be expended in accordance with Act No. 2302, 1971 Regular Session.) | 18,000.00 |
| (f) University Medical Center | 850,000.00 |
| (For unrestricted support of health professions education conducted in the University Hospital and Clinics.) | |

Section 11. BOARD OF TRUSTEES OF TROY STATE UNIVERSITY:

- | | |
|--|--------------|
| (a) For operation and maintenance | 5,159,000.00 |
| (b) For operation and maintenance of Troy State University at Montgomery..... | 165,000.00 |
| (c) For operation and maintenance of Troy State University at Fort Rucker—Dothan | 165,000.00 |
| (d) For School of Nursing—Scholarships | 36,000.00 |
| (To be expended in accordance with Act No. 2292, 1971 Regular Session.) | |
| (e) For Public Service Research and Extension | 200,000.00 |

Section 12. BOARD OF TRUSTEES OF ALABAMA INSTITUTE FOR DEAF AND BLIND:

- | | |
|---|--------------|
| (a) For operation and maintenance | 2,850,000.00 |
| (b) For salaries and expenses incident to instruction of Adult Blind and for operation of the Trade School at the Institute | 1,075,000.00 |
| (c) Department of Adult Blind and Deaf Vocational Education | 60,000.00 |

Section 13. DEBT SERVICE:

- | | |
|---|------------|
| (1) For the payment of principal and interest due on bonds issued by Auburn University (Alabama Polytechnic Institute) pursuant to Constitutional Amendment No. CXX | 308,760.00 |
| (2) For the payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXIX..... | 308,760.00 |
| (3) For the payment of principal and interest due on bonds issued by the University of Alabama Research Institute pursuant to Constitutional Amendment No. CLVII | 207,025.85 |
| (4) Interest on Endowments: | |
| For interest on University of Montevallo (Alabama College) Endowment, Estimated | 44,000.00 |
| For interest on Auburn University Endowment..... | 20,280.00 |
| For interest on University of Alabama Endowment..... | 61,000.00 |

For interest on Grove Hill Endowment	600.00	
For interest on Public School Fund Endowment:		
Interest on 16th Section lands, Estimated	285,000.00	
Interest on School Indemnity lands, Estimated	67,135.81	
Interest on Valueless 16th Section lands	5,825.47	
Interest on Surplus Revenue	26,763.47	
Interest on James Wallace Fund .	275.25	
Total		510,880.00

Section 14. BOARD OF DENTAL SCHOLARSHIP AWARDS:

For Dental Scholarships at the University of Alabama School of Dentistry or any other dental School accredited by the Council of Dental Education of the American Dental Association. (To be expended under the provisions of Act No. 792, 1965 Regular Session.)	83,000.00
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Section 15. EDUCATION OF DEPENDENTS OF BLIND PARENTS:

For reimbursement of every State Institution of Higher Learning, College, University, or State Trade School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session, Estimated	6,930.00
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Section 16. ALABAMA EDUCATION STUDY COMMISSION:

To be used for educational studies in accordance with Act No. 15, 1969 Special Session:	
For salaries, other expenses and equipment purchases	205,000.00

Section 17. ALABAMA EDUCATIONAL TELEVISION COMMISSION:

For salaries	714,000.00	
For other expenses	500,000.00	
For equipment purchases	241,000.00	
For automotive equipment purchases	10,000.00	
For programming	375,000.00	
Total		1,840,000.00

Section 18. COMMISSION ON HIGHER EDUCATION:

(To be expended in accordance with Act No. 14, 1969 Special Session.)		
For salaries	230,000.00	
For other expenses	<u>70,000.00</u>	
Total		300,000.00

Section 19. MARINE ENVIRONMENTAL CONSORTIUM:

For operation and maintenance	325,000.00
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Section 20. MEDICAL SCHOLARSHIPS BOARD:

For Medical Scholarships at the University of Alabama Medical School. (To be expended under the provisions of Act No. 278, 1965 First Special Session.) 135,000.00

Section 21. MONTGOMERY INSTITUTE FOR NEUROLOGICAL DEVELOPMENT. 25,000.00**Section 22. ALABAMA PUBLIC LIBRARY SERVICE:**

For salaries 114,000.00
 For other expenses 28,000.00
 Total..... 142,000.00
 State Aid for all public libraries and library systems 608,000.00

Section 23. SOCIAL SECURITY:

For State's share of Social Security, Estimated 28,500,000.00

Section 24. SYLACAUGA NURSES TRAINING SCHOOL:

(To be expended in accordance with Act No. 2393, 1971 Regular Session.)
 For operation and maintenance 40,000.00
 For School of Nursing Scholarships 18,000.00

Section 25. BOARD OF CONTROL OF THE TEACHERS RETIREMENT SYSTEM:

For Teachers Retirement System, Estimated 66,000,000.00
 The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers Retirement Fund.
 For Teachers Special Pension Fund, Estimated 3,235,000.00

Section 26. VETERANS EDUCATION BENEFITS:

For reimbursement to every State Institute of Higher Learning, College, University, or State Trade School or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session, Estimated 900,000.00

Section 27. JOHN M. WILL MEMORIAL SCHOARSHIP FOUNDATION..... 1,000.00**Section 28. YOUTH SERVICES BOARD:**

For operation and maintenance 5,100,000.00
 For salaries of Probation Officers 950,000.00
 (To be expended in accordance with Act No. 816, 1973 Regular Session.)
 For administration..... 350,000.00

Section 29. BIRMINGHAM TRAINING CENTER FOR BRAIN INJURED 29,100.00**Section 30. ALABAMA LAW INSTITUTE FOR LIBRARY BOOKS..... 60,000.00****Section 31. ALABAMA LEARNING RESOURCES CENTER (INSTRUCTIONAL MATERIALS CENTER) 60,000.00**

Section 32. ALABAMA SHAKESPEARE FESTIVAL, INC.:	
For the purpose of promoting and producing said festival	15,000.00
Section 33. WALKER COUNTY BOARD OF EDUCATION:	
For the use of the Sumiton Elementary School	500,000.00
Section 34. HENRY COUNTY BOARD OF EDUCATION:	
For capital outlay purposes	300,000.00
Section 35. BIRMINGHAM CITY BOARD OF EDUCATION:	
For speech and Hearing Clinic	100,000.00
Section 36. WINFIELD CITY BOARD OF EDUCATION:	
For Capital Outlay	300,000.00
Section 37. MORGAN COUNTY BOARD OF EDUCATION:	
Falkville High School—	
For the construction of a gymnasium	300,000.00
Section 38. BIRMINGHAM SYMPHONY ASSOCIATION, INC.	
100,000.00	
(To be used for the support and maintenance of an expanded statewide music education program by the official Symphony of the State of Alabama for the young people in the primary and secondary schools, and to be expended with the advice of a committee composed of the State Superintendent of Education and four persons appointed by him and the President of the Birmingham Symphony Association and four persons appointed by him.)	
Section 39. ARAB CITY BOARD OF EDUCATION ..	450,000.00
Section 40. LAUDERDALE COUNTY BOARD OF EDUCATION	380,000.00
Section 41. SOUTHERN REGIONAL EDUCATION BOARD	8,000.00
Section 42. ALABAMA LAW ENFORCEMENT PLANNING AGENCY FOR REGIONAL ENFORCEMENT ACADEMIES:	
a. Jacksonville State University ...	55,000.00
b. Troy State University	55,000.00
c. John C. Calhoun Junior College ..	55,000.00
d. Jefferson State Junior College ...	55,000.00
Total	220,000.00
Section 43. COMMISSION ON PHYSICAL FITNESS:	
For salaries	48,300.00
For other expenses	13,200.00
For equipment purchases	500.00
Total	62,000.00
Section 44. ALABAMA LAW INSTITUTE	125,000.00
Section 45. ALABAMA COUNCIL ON THE ARTS AND HUMANITIES	150,000.00

Section 46. ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION:

For salaries, other expenses and equipment purchases 35,000.00

Section 47. ATHENS COLLEGE 1,000,000.00

**Section 48. Covington County Board of Education:
for construction and equipment purchases at Red
Level Grammar School 450,000.00**

**Section 49. Atmore Technical Institute:
for equipment and repairs 228,000.00**

Section 50. DEPARTMENT OF PUBLIC HEALTH:

For Immunization of Preschool
and students 250,000.00

For Public School Food Sanitation Program 250,000.00

Total 500,000.00

Section 51. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, upon the approval by the Governor shall issue his warrant therefor; provided, that all appropriations and funds made available to the University of Montevallo, the University of Alabama, the University of South Alabama, Auburn University, the Institute for the Deaf and Blind, the Youth Services Board, the Alabama Educational Television Commission, Teachers Retirement System, University of North Alabama, Jacksonville State University, Livingston State University, Troy State University and the State Social Security Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 52. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 53. This Act shall become effective on October 1, 1975.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—32

Nays:

—0

Mr. St. John offered the following amendment to the Bill, H. B. 489, as amended by the substitute, to-wit:

AMENDMENT TO H. B. 489, AS AMENDED

Amend House Bill No. 489, as amended, Page 6 Line 30, by inserting after the word . . . "College" the following:

"Of the amount appropriated to the Junior College Equalization Account, the sum of \$575,000.00 shall be distributed to the Wallace Community College at Hanceville, Alabama."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—28

Nays:

—0

Mr. Powell offered the following amendment to the Bill, H. B. 489, as amended, to-wit:

AMENDMENT TO H. B. 489, AS AMENDED

Amend H. B. 489, as amended, by inserting the following immediately after Section 40, where it appears on page 24 of said bill, and renumbering the following sections accordingly:

"Section 41. ELMORE COUNTY BOARD OF EDUCATION

For capital outlay purposes 300,000.00"

Mr. Owen moved that said amendment be laid on the table, which motion was lost.

Yeas 2; Nays 19.

Yeas: Messrs. Edwards, Owen.

—2

Nays:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Givhan, King, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Powell, Roberts, Shelby, Waldrop, Wilson.

—19

And said amendment was then adopted by the Senate.

Yeas 22; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Powell, Roberts, Shelby, Waldrop, Wilson.

—22

Nays: —0

Mr. Ellis offered the following amendment to the Bill, H. B. 489, as amended, to-wit:

AMENDMENT TO H. B. 489, AS AMENDED

Amend Section 73, sub-section "AA", page 12, by inserting after sub-paragraph (a) the following sub-paragraph, (b) Emergency Medical Technician Training \$95,000.

Also strike the figure 29,908,913.00 on line 20 and insert in lieu thereof \$30,003,913.00.

Mr. Owen moved that said amendment be laid on the table, which motion was lost.

Yeas 6; Nays 8.

Yeas:

Messrs. Edwards, Foshee, King, McDonald (A), McDonald (S), Owen.

—6

Nays:

Messrs. Baker, Bank, Ellis, Gilmore, McMillan, Pearson, Shelby, Waldrop.

—8

(A quorum of the Senate was present but not voting.)

And said amendment was then adopted by the Senate.

Yeas 17; Nays 1.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Gilmore, King, Littleton, McDonald (A), McMillan, Mims, Mitchell, Powell, Shelby, Stewart, Vacca, Waldrop.

—17

Nay: Mr. Owen.

—1

Mr. King offered the following amendment to the Bill, H. B. 489, as amended, to-wit:

AMENDMENT TO H. B. 489, AS AMENDED

Amend H. B. 489 as amended on Page 2, Line 18 by striking out the figure "\$5,194,000.00" after the word "University" and inserting in lieu thereof the figure "\$6,194,000.00."

Which was adopted.

Yeas 18; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Givhan, King,

Little, Littleton, McMillan, Mitchell, Noonan, Pearson, Roberts, St. John, Shelby, Waldrop.

—18

Nay: Mr. Owen.

—1

Mr. Bank offered the following amendment to the Bill, H. B. 489, as amended, to-wit:

AMENDMENT TO H. B. 489, AS AMENDED

Amend H. B. 489 as amended as follows:

On page 19, Section 7, line 6, after the category "for operation and maintenance", strike the figures "2,375,000," and insert in lieu thereof the sum

"2,525,000"

Which was adopted.

Yeas 16; Nays 3.

Yeas:

Messrs. Bank, Edwards, Ellis, Fine, Flipppo, Foshee, Givhan, Littleton, McDonald (S), Noonan, Owen, Perry, Roberts, Shelby, Stewart, Waldrop.

—16

Nays: Messrs. Baker, Clemon, McMillan.

—3

Mr. Bank then offered the following amendment to the Bill, H. B. 489, as amended, to-wit:

AMENDMENT TO H. B. 489, AS AMENDED

Amend the bill by adding the following item in sub-section A of Section 4 of the bill, Page 15:

Community Nursing Program \$200,000.00

Which was adopted.

Yeas 15; Nays 3.

Yeas:

Messrs. Bank, Edwards, Fine, Givhan, Jones, King, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Shelby, Stewart, Waldrop.

—15

Nays: Messrs. Baker, Clemon, McMillan.

—3

Mr. Littleton offered the following amendment to the Bill, H. B. 489, as amended, to-wit:

AMENDMENT TO H. B. 489, AS AMENDED

Amend House Bill No. 489, as amended, Page 24, by adding after Section 40.

“Section 40. A. Chilton County Board of Education \$450,000.00.”

Which was adopted.

Yeas 12; Nays 1.

Yeas:

Messrs. Adams, Bank, Clemon, Fine, Littleton, McDonald (S), McMillan, Mitchell, Shelby, Vacca, Waldrop, Wilson.

— 12

Nay: Mr. Owen.

— 1

(A quorum of the Senate was present but not voting.)

Mr. Shelby offered the following amendment to the Bill, H. B. 489, as amended, to-wit:

AMENDMENT TO H. B. 489, AS AMENDED

Amend H. B. 489, as amended, on page 15 by deleting Section 4(A) in its entirety and inserting in lieu thereof the following:

“(1) For operation and Maintenance	\$26,605,000.00
(2) Gadsden Cooperative Upper Division Program	160,000.00
(3) For the Center for Emotionally Disturbed Children	357,000.00
(4) College of Community Health Sciences	1,500,000.00
(5) For Public Service, Research and Extension	2,016,000.00
(6) For Nursing Scholarships	18,000.00
(7) Psychology Department	100,000.00
(8) Family Practice Clinics	500,000.00
(9) Museum of Natural History—Moundville State Park	126,000.00
(10) Mineral Resources Institute—State Mine Experimentation Station	400,000.00
(11) Vocational Education Teacher Training	400,000.00
(12) Jones Law Institute—Montgomery, Alabama	125,000.00”

On motion of Mr. Torbert, said amendment was laid on the table.

Yeas 18; Nays 7.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Foshee, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perry, St. John, Torbert.

— 18

Nays:

Messrs. Bank, Fine, Flippo, King, Shelby, Stewart, Waldrop.

—7

Mr. Shelby then offered the following amendment to the Bill, H. B. 489, as amended, to-wit:

AMENDMENT TO H. B. 489, AS AMENDED

SHELBY AMENDMENT NO. 2

1. Amend H. B. 489, as amended, on page 15, Section 4(A) by adding line item (12) to read as follows:

“(12) Mineral Resources Institute—

State Mine Experimentation Station \$300,000.00”

2. Further amend H. B. 489, as amended, on page 15, by deleting Section 4(A)(3) and substituting in lieu thereof the following:

“Section 4 (A)(3). For emotionally Disturbed Children \$357,000.00”

3. Further amend H. B. 489, as amended, on page 17, Section 5(A) by adding line item (8) to read as follows:

“(8) For Water Resources Research Institute \$382,000.00”

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 170. To amend Section 30, Title 55, Code of Alabama 1940, which sets forth the duties and powers of the State Fire Marshal by granting to the Fire Marshal, and his deputies, full powers of peace officers.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 353. NAMING ALABAMA HIGHWAY 180 THAT RUNS FROM THE INTERSECTION OF HIGHWAY 59 THROUGH THE WESTERN-MOST POINT OF BALDWIN COUNTY THE FORT MORGAN PARKWAY.

Also:

H. J. R. 402. NAMING THE PORTION OF HIGHWAY 43

WITHIN THE CITY LIMITS OF CHICKASAW, ALABAMA
"PERLOFF BOULEVARD".

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 464. To further amend Section 89, Title 36, Code of Alabama 1940, as amended, which section regulates the size of motor vehicles allowed to travel on the public highways of this state, so as to further regulate the size of certain motor vehicles.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 170. To amend Section 30, Title 55, Code of Alabama 1940, which sets forth the duties and powers of the State Fire Marshal by granting to the Fire Marshal, and his deputies, full powers of peace officers.

Also:

S. 278. Relating to the 38th Judicial Circuit; to provide for additional Circuit Judge in such Circuit: defining his jurisdiction, powers,

right and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

Also:

S. 478. To amend the title and Section 18 of Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 et. seq.) as amended, which relates to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census: to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon etc. so as to provide further for the distribution of license fees, taxes, commissions, and other monies received under the provisions of this Act, and to create a board for the purpose of distributing a portion of such monies.

Also:

S. 480. To prohibit the operation of a motor or motorized vehicle upon coastal beaches or sand dunes of any island located within a county having a population of not less than 300,000 nor more than 600,000.

Also:

S. 481. To amend Act No. 2441, of the 1971 Legislature (Acts, 1971, page 3903), entitled "An Act to provide that the Governing Body of any municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, may appoint the chief of police of such a municipality in event of a vacancy, from the number of officers of the police force who hold the rank of captain or above, without regard to any civil service or personnel board rules or regulations concerning such appointment and providing that such personnel board may fix the compensation of said chief of police, and his status in any civil service system in such municipality."

Also:

S. 571. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

Also:

S. 654. To provide for supernumerary clerks of the circuit courts in the Sixth Judicial Circuit of the state, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment out of the county treasury of their salaries.

Also:

S. 742. To amend Section 1 of Act No. 178, H. 94, Special Session 1969 (Acts 1969, p. 244), which provides for the compensation of jurors in Tuscaloosa County.

Also:

S. 769. To amend Act No. 1178 of the 1973 Regular Session of the Legislature of the State of Alabama, which act established a court to be called the General Sessions Court of Madison County, so as to add thereto Section 18, so as to establish a Small Claims Division of said General

Sessions Court of Madison County; to set the jurisdictional amount for claims to be processed through said Small Claims Division; to provide for the issuance of summons and complaints from said division; to provide for services of processes for claims handled through said division; to provide for filing fees and court costs for claims filed through said division; to provide for procedures, forms, and assistance to plaintiffs in the preparation of claims; to provide for the Clerk of said Court to have authority to enter judgments by default; and to provide for the employment of additional clerks and facilities to assist the General Sessions Court in the implementation of this act.

Also:

S. 851. Relating to Hale County; regulating and providing for the payment of compensation of election officers.

Also:

S. 852. Relating to Hale County; to provide that the county commission pay such a supplement to the pay of jurors so as to make their total pay \$20 per day.

Also:

S. 866. Relating to Hale County; providing for an expense allowance, in lieu of all other expense allowances, for the members of the county governing body for their remaining terms of office and providing for a salary for each such person, in lieu of all other compensation, to take effect upon the expiration of the current terms of office.

Also:

S. 952. To amend Act No. 796, H. 1033, Regular Session 1971 (Acts 1971, p. 1530) entitled, "An Act Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities."

Also:

S. 1071. Relating to Washington County; providing for the election of the county commission by the county at large; and providing for the residence of the commissioners from districts defined herein.

Also:

S. 1104. To further provide for the education and training of deaf, blind and certain other persons and to further define the authority of the board of trustees of the Alabama Institute for Deaf and Blind.

Also:

S. 1113. To provide for branch banking in Winston County.

Also:

S. 1174. To amend Section 3 of Act No. 1945, Regular Session of the 1971 Alabama Legislature to provide that in all counties having populations of not less than 300,000 nor more than 600,000 inhabitants according to the most recent or any subsequent federal decennial census,

the county engineer need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of said county engineer's salary.

Also:

S. 1179. To provide for Supernumerary-Retired Probate Judges in all counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census; to prescribe the qualifications, term, duties, powers, authority, compensation and benefits of such supernumeraries; to provide for a Probate Judges Retirement Fund in such counties; to regulate the administration and supervision of said Fund and to repeal all conflicting statutes.

Also:

S. 1241. To repeal Act No. 208, H. 130, Third Special Session of 1975, approved May 5, 1975, entitled "To apply only in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; to better secure the administration of the financial affairs of such counties by vesting in the chairman and members of the county commission a direct and effective financial supervision over all county officers, departments, boards and agencies; to provide for the annual initiation and preparation of a balanced budget of all revenue and expenditures for the County General Fund, Road and Bridge Fund, Gasoline Fund, Public Highway and Traffic Fund, and other funds, including a tentative budget and hearings on the same before adoption of a final budget; to prohibit expenditures in excess of budgeted amounts, and to provide personal civil liability for any department head or other official in charge who violates such prohibition; to provide for proration to prevent an overdraft or deficit; to provide for lapsing of sums budgeted but not expended; to provide that the county commission shall have authority to hire a central purchasing agent in order to make possible the most efficient and economical means of expending county funds; to regulate the office of central purchasing agent and to provide penalties for violations to set the effective date of this act and to repeal conflicting laws."

Also:

S. 1258. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

Also:

S. 1260. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a

quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 400. To implement the new Judicial Article of the Alabama Constitution (Amendment No. 328 approved December 18, 1973); by establishing a unified judicial system for the state; by establishing a new state court of limited jurisdiction to be known as the District Court of Alabama, having uniform jurisdiction, procedures and costs; by authorizing the establishment of municipal courts having uniform jurisdiction, procedures and costs; by providing that the state bear the cost of personnel and operation of the circuit and district courts; by making appropriations for the payment of salaries, pensions and other costs of the unified judicial system, except the courts of probate and municipal courts; by amending various sections of the Alabama Code of 1940 and subsequent statutes as required to make effective the unified judicial system. The contents of this Act are organized as follows:

The judicial authority of the state is vested in a unified system; amending Section 1 of title 13 of the Code of Alabama, 1940, to reflect constitutional provisions.

The jurisdiction of the circuit court and powers of presiding circuit judges are described with amendments to the Code of Alabama reflecting the new court structure; presiding circuit judge has general supervision of judges and other officers; circuit court has jurisdiction of appeals from municipal and district courts.

Repeals sections 157, 158, 159, 179, 180 and 181 of title 13 of the Code of Alabama, 1940; amends sections 115, 123, 172 of the Code of Alabama, 1940.

Provision is made for probate judges' election to come under the judicial retirement act; amount of benefits specified.

The district court established; effective January 16, 1977; civil and criminal jurisdiction; number of judges and places of holding court; election, compensation and retirement of district judges; provision for primary and secondary system of trials; uniform traffic ticket procedure; preliminary hearing jurisdiction; use of magistrates; district attorney responsible for prosecution; provision for a district court within geographic bounds constituting a district, designating places within districts where court must be held; transfer of cases from present county and other courts; jurisdiction of civil cases up to five thousand dollars (\$5,000.00); special docket for small claims up to five hundred dollars (\$500.00); jurisdiction of involuntary commitment cases, if transferred from probate court; jurisdiction of juvenile cases; exclusive criminal jurisdiction in misdemeanor cases except those in municipal courts; authority to receive guilty pleas in all felonies not involving death penalty.

Repeals sections 313, 314, 315-341, 345, 346, 349 and 384-406 of title 13

of the Code of Alabama, 1940; repeals Act No. 764, approved September 17, 1953; and Act No. 535, approved January 1, 1954.

Jurisdiction of juvenile cases placed in district court; civil, criminal and delinquency procedures and rules regarding juveniles established; age of juveniles revised; appointment of referees; probation services; advisory boards; scope of jurisdiction; delinquency, custody, commitment, child abuse, offenses against children, paternity, desertion and non-support; investigations and complaints; court custody, detention and shelter care; transfer to criminal court; right to counsel; disposition of neglected and delinquent children; guardians ad litem; confidentiality of records; adult offenses; and appeals.

Repeals sections 350-383 of title 13 and sections 239, 252 (a8), 252 (a9), 252 (a10), 252 (a11), 252 (a12), 252 (a13), 252 (a14), 252 (a15) and 252 (a16) of title 45 of the Code of Alabama, 1940.

Providing for security and protection of judicial facilities; advisory and standing committees; court facilities; travel expenses of appellate court personnel; publishing and construction of rules; coordination and use of appropriations; voluntary diminution of compensation; use of special judges; provisions for senior associate justices to perform duties of chief justice when chief justice unable to act; supernumerary justices or judges and their dependents' rights and benefits; additional permanent duties for designated district court judges; procedure when bill introduced to increase or decrease number of judges or change boundaries of circuit or district; and local legislation affecting the judiciary.

Provision for phased assumption by the state of employment and compensation of personnel of district and circuit courts, beginning October 1, 1977; protection of local retirement rights of county employees transferred to state; compensation of circuit clerks; employee benefits for transferred personnel; positions of confidential secretaries for judges and clerks and bailiffs for judges; court reporters and referees; office of register abolished when present positions become vacant; compensation of registers; court reporters compensation; and supernumerary clerks and registers.

Establishment of municipal courts with uniform jurisdiction, procedures and costs; procedures for abolition of municipal courts by municipalities, transfer of jurisdiction to district court, and apportionment of fines; procedures for re-establishment of municipal courts; appointment and qualification of municipal judges; bail on personal recognizance, fines, jail, suspended sentence, probation; appeals to circuit court; arrest and search warrants; and use of magistrates.

Repeals sections 582-600 of title 37 of the Code of Alabama, 1940; repeals Act No. 403, approved August 16, 1965; Act No. 665, approved September 6, 1961; and Act No. 1108, approved September 12, 1969.

Provision for the presiding circuit judge to administer the indigent defense system; allows local option regarding type defense services provided; establishes an advisory indigent defense commission in each circuit; authorizes establishment of a public defender system in any circuit, paid by the state; and provides for compensation of appointed counsel by the state.

Repeals a portion of section 2 of Act No. 2421, approved October 1, 1971; and amends section 1 of Act No. 2420, approved October 1, 1971.

Probation services conformed to unified court system; provides maximum probation period of five years for felonies and two years for misdemeanors, and for termination of probation.

Amends sections 19, 23 and 24 of title 42 of the Code of Alabama, 1940.

Defines the duties and authority of administrative director of courts as assistant to chief justice as administrative head of judicial system; provides for personnel policies; provides for the attendance by judges and personnel of judicial system at educational conferences and meetings; provides for study and supervision of programs relating to the administration of justice, and coordination and use of judicial funds from appropriations and grants by the director.

Provides for authority to administer oaths and require testimony and production of records by judicial compensation commission established by the Constitution; and provides for payment of expenses of the commission.

Provides per diem compensation for members of judicial inquiry commission who are not judges in amount of one-half of one percent of annual salary paid by the state to circuit judges.

Provides for expenses of the court of the judiciary and reporter.

Provides for representation of district, municipal and probate judges on judicial conference; amending Act No. 118, approved January 12, 1972.

Provides for assumption by the state of expenses of district and circuit courts, phased over three fiscal years; provides that counties continue to be responsible for construction, maintenance and operation of courtrooms and facilities, and for transfer of title to equipment and furniture to the state; establishes uniform fees and court costs in circuit and district courts; provides for distribution of fees, costs, and fines between state and municipality.

Repeals section 1, 10, 11, 13, 18-26, 34, 38, 40-43, 55, 59-63, 65, 67, 72-76, 81-83, 85, 86, 89-91, 96, 97, 100-102 and 112 of title 11 of the Code of Alabama, 1940; repeals Act No. 742, approved September 23, 1957; Act No. 58, approved June 1, 1945; section 1 of Act No. 741, approved September 23, 1957; sections 1 and 2 of Act No. 570, approved September 16, 1963; Act No. 311, approved July 28, 1949; section 1 of Act No. 575, approved July 7, 1943; Act No. 573, approved July 7, 1943; Act No. 413, approved July 7, 1945; Act No. 483, approved July 7, 1945; and Act No. 177, approved July 21, 1947; amends sections 2-4, 6, 7, 35-37, 39, 56, 57, 64, 92-95, 98, 104-108, 110 and 113 of title 11 of the Code of Alabama, 1940; and amends section 2 of Act No. 625, approved September 4, 1951; and a portion of section 2 of Act No. 2421, approved October 1, 1971.

Provides for state appropriations for Act.

Provides for severability of provisions of Act in proper case; repealer of existing laws inconsistent with Act; and establishes effective date of Act where individual articles or sections do not establish such, and of individual articles or sections.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 400, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 400 AS AMENDED

Amend S. B. 400, Section 4-113, line 40 by striking the words "Madison and Montgomery Counties" and inserting the words "Montgomery County" and by inserting the word "Madison" on line 37 after the word "Baldwin."

AMENDMENT TO S. B. 400

Amend Page 30, Line 31 by striking through the words fifty-five and inserting in lieu thereof the word sixty.

Also on page 30, line 32 amend by striking through (55) and inserting in lieu thereof (60).

Also on page 30, line 40 by striking through the words fifty-five (55) and inserting in lieu thereof the word sixty (60).

Also on page 31, line 22 amend by striking through the words fifty-five (55) and inserting in lieu thereof the word sixty (60).

AMENDMENT TO S. B. 400

Amend Senate Bill 400 by deleting in their entirety Section 4-112, subsection (b) 5, page 32, line 12-17, subsection (b) 8 on page 33, lines 3-6 and number the other remaining subsections accordingly.

AMENDMENT TO S. B. 400

Amend Senate Bill 400 in Section 7-104, page 117, line 30, by inserting after the word "counties" a new sentence to read as follows:

"Notwithstanding the foregoing provision for supplemental salary for circuit clerks, any county may by local act already enacted or hereafter enacted, pay a circuit clerk a supplemental salary from the general fund of such county in excess of the supplemental salary provided for by this section of the Act."

AMENDMENT TO S. B. 400

Amend Senate Bill 400 in Section 4-114, page 35, line 35, by inserting after the word "counties" a new sentence to read as follows:

"Notwithstanding the foregoing provision for supplemental salary for district court judges, any county may by local act already enacted or hereafter enacted, pay a district judge or district judges a supplemental salary from the general fund of such county in excess of the supplemental salary provided for by this section of the Act."

AMENDMENT TO SENATE BILL 400, AS AMENDED

Amend S. B. 400 in Section 4-131(c), page 42, line 8, by inserting after the word "district" the words "or circuit".

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend Senate Bill 400 as amended in Section 5-109, page 59, line 34, by deleting the word, viz; or

Further amend Senate Bill 400 as amended in Section 5-109, page 59, on line 36, by deleting the period and inserting in lieu thereof a semi-colon and the word: or

Further amend Senate Bill 400 as amended in Section 5-109, page 59, on line 37, by inserting a new sub-section (d) to read as follows:

(d) in proceedings for the commitment of a mentally ill or mentally retarded minor.

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend S. B. 400 in Section 16-130, page 182, line 20, by deleting the words "appeals of"

and

further amend Section 16-130, page 182, line 22, by deleting the words twenty-three and inserting in lieu thereof the word: eight

and

further amend Section 16-130, page 182, line 23, by deleting the word "and" and the period following the word "fund" and inserting in lieu thereof a comma and the words ten dollars to the district attorney fund, or to the fund prescribed by law for district attorney fees, and five dollars to the police officers annuity fund

and

further amend Section 16-130, page 182, by inserting a sub-section (a) to read as follows:

"(a) All references to police officers annuity fund found in this Act shall be construed to be references to the peace officers annuity fund."

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend Senate Bill 400 as amended by adding on page 170 in Section 16-103 in Article 16, after section (b) (2), the following subsection:

(b) (3) All forms, stationery, and other printed court supplies may be purchased through the county purchasing agent or in the same manner in which the county purchases such supplies if the county has no purchasing agent, and the cost thereof shall be reimbursed to the county by the State from funds appropriated for such use.

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend Senate Bill 400 as amended on page 125, Section 7-109 (c), on lines 19 and 21 by striking the word, viz; salary and inserting in lieu thereof the following words:

fixed compensation

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend Senate Bill 400 as follows:

By causing Article 4-104, p. 21, beginning at line 17, to read as follows:

4-104. Juvenile Jurisdiction.—Juvenile jurisdiction shall be exercised concurrently by the district court and the circuit court as provided by law.

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend Senate Bill 400 as follows:

By causing Article 5-101(g), p. 28, lines 36 and 37, to read as follows:

5-101(g). “Court” or “Juvenile Court” means the juvenile division of the district court or the juvenile division of the circuit court as established by this act;

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend S. B. 400 in Section 4-113(b) (3), on line 4, page 32, by deleting the word and number three (3), and inserting in lieu thereof, the word and number four (4)

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend Senate Bill 400 as follows:

Amend 5-102, p. 53, lines 9 through 25 to read as follows:

5-102. Juvenile Court; Power and Authority.—The circuit court and the district court shall exercise original concurrent juvenile jurisdiction sitting as the juvenile court. The juvenile court shall keep a docket which shall be separate and distinct from any other docket kept in said court, and the orders and decrees of the court relating to such cases shall be entered in a separate minute book. The Supreme Court shall promulgate rules governing procedure in the juvenile court. Juvenile court shall have full power and authority to issue all writs and processes necessary to the exercise of such jurisdiction and to carrying out of the purposes of this article. The judge of the court shall have power to issue writs of arrest and of habeas corpus to have brought before the court children alleged to be dependent, delinquent or in need of supervision, to be dealt with by said court under the terms of this article. The court shall have and exercise the jurisdiction and equity power possessed by courts in this state.

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend Senate Bill 400 as follows:

Amend 5-103(a) on p. 53, commencing with line 26 and continuing through line 38, to read as follows:

5-103(a). Juvenile Judge; Assignments; Power and Duties.—(a) The judge of the district court shall serve as the juvenile court judge in those districts having only one district judge; in those districts having more than one district court judge, the presiding circuit court judge shall designate from time to time a district court judge or circuit court judge who shall serve as the judge hearing juvenile cases.

AMENDMENT TO SENATE BILL 400

Amend Senate Bill 400 as amended by striking in their entirety subsections (a) and (b) of section 7-114 of Article 7 on lines 17 through 34, on page 129 and inserting in lieu thereof the following words and figures:

(a) the annual salary for a supernumerary circuit court clerk paid by the State, shall be \$12,187.50.

(b) the annual salary for a supernumerary register paid by the State, shall be \$12,187.50.

AMENDMENT TO SENATE BILL 400

Amend Senate Bill 400 as amended by striking after the word, "Morgan", in section 4-113 of Article 4, on lines 37 and 38, on page 31 the following words:

Talladega, and Tuscaloosa

and inserting in lieu thereof the following:

and Talladega.

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend Senate Bill 400 as amended by striking therefrom on page 125, lines 14 and 15, in Section 7-109, the following words:

the effective date of this Act,

and inserting in lieu thereof the following date:

January 16, 1977,

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend S. B. 400 in Section 16-113, page 174, line 27, by deleting lines 27 through 30 and adding the following: "Where notice by publication or registered mail is used, the actual cost shall be collected before publication as a service fee at the outset of the case."

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend Senate Bill 400 as amended by deleting in its entirety the first sentence of Section 4-114 of Article 4 on page 35 which reads as follows:

Each district judge shall be compensated by the state at a salary rate equal to ninety (90) percent of the base salary paid by the state to a circuit judge for the term for which the circuit judge has been elected.

and insert in lieu thereof the following:

Each district judge shall be compensated by the state at a salary of twenty-two thousand five hundred (22,500.00) dollars.

AMENDMENT TO SENATE BILL 400 AS AMENDED

Amend Senate Bill 400 as amended by deleting the first sentence of Section 7-104 of Article 7 on lines 15 through 18 on page 117 as follows:

"each circuit clerk shall be compensated by the state, beginning January 16, 1977, at a salary rate equal to seventy-five (75) percent of the base salary paid by the state to each circuit judge."

and insert in lieu thereof the following:

Each circuit clerk shall be compensated by the state, beginning January 16, 1977, at a salary rate of eighteen thousand seven hundred fifty (18,750) dollars.

Yeas 30; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Givhan, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—30

Nays:

—0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 106. DESIGNATING THE RACKING HORSE AS THE OFFICIAL STATE HORSE.

Also:

S. J. R. 148. NAMING THE H. B. 1601 WHICH RECENTLY PASSED THE LEGISLATURE "THE SUMMERVILLE-WAGNON EXTENSION RETIREMENT ACT OF 1975."

Also:

S. J. R. 150. Commending Senator Sparkman, Senator Allen and Representatives Jones and Bevill for their action in the interest of this State concerning the Tennessee Valley District of Alabama.

Also:

S. J. R. 152. NAMING BUTLER COUNTY ROAD 5 THE "HANK WILLIAMS MEMORIAL DRIVE."

Also:

S. J. R. 153. NAMING ALABAMA HIGHWAY 18 BETWEEN BERRY AND FAYETTE THE D. C. "DEACON" GREY MEMORIAL HIGHWAY.

E. C. FOSHEE,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF CONFERENCE COMMITTEE

To the Members of the Legislature:

We, your conferees, appointed to reconcile the differences between the two houses on the House substitute for S. 1018, as amended, beg leave to report as follows:

We recommend that both houses pass the House Substitute for S. 1018, as amended, and that said Substitute be further amended as follows:

Amend the House Substitute to S. 1018, page 4 lines 6-22, by striking out Section 5 entirely, and inserting in lieu thereof the following new section.

Section 5. The primary election, except any special primary elections, if held at the expense of the state or counties during the presidential year of 1976 shall be held on the first Tuesday after the first Monday in May and, if necessary, as hereinafter provided, a second or runoff primary election shall be held on the third Tuesday next thereafter following said primary election. After 1976, primary elections, except special primary elections, held at the expense of the state or counties, shall be held on the first Tuesday after the first Monday in September. When necessary, as hereinafter provided, a second or runoff primary election shall be held on the third Tuesday next thereafter following said primary election. Any second primary shall be held by the same election officers who held the first primary, and be held at the same places as the first primary election. No primary shall be held by any political party except as herein provided. Primary elections herein provided for shall be held at the regular polling places established for the purpose of holding general elections.

Further amend Senate Bill 1018 as follows:

On page 8, Section 13, line 24 after the word "primary," delete the following "and shall certify that he has been a member of the same for at least 30 days next preceeding said primary" and insert in lieu thereof the following: "and will support the nominees of that party in the general election"

Further amend Senate Bill 1018 as follows on page 8, Section 14, line 34 after the word "year's" by deleting the following: "emolument from all sources" and insert in lieu thereof the following: "salary or \$600, whichever is the lessor sum,"

WENDELL MITCHELL,
J. RICHMOND PEARSON,
GEORGE D. H. McMILLAN, JR.,
Conferees on the part of the Senate

ROBERT M. HILL, JR.,

JOHN M. McMILLAN, JR.,

JACK W. SMITH,

Conferees on the part of the House

CONFERENCE REPORT

On motion of Mr. Mitchell, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 1018. Relating to elections; to define "primary elections"; to provide party may choose to come under law; to define "political party"; to define the term "total vote"; to provide which elections are within the law; to provide for the date of elections; allows party to elect convention delegates by presidential preferential primary; to provide for party committees and their election; to provide for payment of expenses of primary elections; to provide method of filing declaration of candidacy and require party chairman to certify such candidates; to require candidates to be eligible to hold office; to provide for public notice to election; to establish who may vote in primary; to provide for method of registering voters by political party preference and requiring all voters in future primaries to be registered as a member of respective party; to provide for method of changing party registration; to allow parties to assess fees against candidates; to allow candidates to nominate election officers and provides for oath of said officers; to provide for official ballots and election stationery; to provide for ballot boxes and voting machines to be used; to provide official form of ballot; provides method of challenging voters; to provide regulations for handling challenged ballots; to provide methods of casting votes; to provide for poll watchers; to provide for assistance to voters unable to read English; to provide duties of sheriff; to provide time of counting ballots; to provide for disposition of ballots, lists and supplies; to require public proclamation of the results; to provide for tabulation and declaration of results by precinct; to provide for declaration of candidate or nominee; to provide for date of second primary; to provide for breaking tie votes; to provide for certification of nominees to probate judge; to provide for filling vacancies in nominations; to provide for method, time and place of mass meeting; to provide penalties for violation of mass meeting law; and to repeal Code of Alabama 1940, Title 17, Chapter 2.

Yeas 27; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Flipppo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—27

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee

on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

said Conference Report being in words and figures as follows:

REPORT OF CONFERENCE COMMITTEE
ON H. B. 490

We, your Committee on Conference appointed to reconcile the differences between the two Houses on the Bill, H. B. 490, beg leave to report as follows:

That the House of Representatives and the Senate of Alabama adopt the accompanying Conference substitute.

REP. HUGH MERRILL,
REP. WALTER OWENS,
REP. RICHARD MANLEY,
Conferees on the part of the House
SENATOR L. D. OWEN,
SENATOR CRUM FOSHEE,
SENATOR ROBERT WILSON,
Conferees on part of the Senate

CONFERENCE COMMITTEE
SUBSTITUTE FOR H. B. 490

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That, for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable to the appropriations herein made: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases, and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing

and binding, repairs, rents and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes: (c) "equipment purchases" shall mean those items of office equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for the fiscal year ending September 30, 1976, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor and the amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall not be increased by the expenditure of any revenue derived from the sale, trade-in or exchange of the items of personal property described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

FROM THE GENERAL FUND

I. LEGISLATIVE:

(1) EXPENSES OF THE LEGISLATURE:

(a) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature.....	2,500,000.00
(b) National Conference of State Legislators... (For the purpose of paying the State's share of the operation of the National Conference of the State Legislatures.)	22,500.00
(c) For the printing of Legislative Acts and Journals, Estimated.....	125,000.00
(d) For Legislative Council expenses	50,000.00

(2) LEGISLATIVE REFERENCE SERVICE:

(a) For operation of the Department:	
For salary of the Director ...	24,042.00
For other salaries	338,394.00
For other expenses	26,100.00
For equipment purchases....	<u>2,000.00</u>
Total	390,536.00
(b) Commission on Intergovernmental Co-operation:	

For salaries, other expenses, equipment purchases and Matching Federal Funds . . .	105,000.00
(Any portion of the above appropriation can be used for Reorganization of the State Government project and employees shall not be subject to the provisions of the Merit System Law.)	
(c) Code Revision:	
For salaries and expenses, Estimated.	10,000.00
(3) DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS:	
For salary of the Chief Examiner	22,729.00
For salary of the Assistant Chief Examiner	21,502.00
For other salaries	1,796,769.00
For other expenses	445,000.00
For equipment purchases	9,000.00
Total.	2,295,000.00

II. JUDICIAL:

(1) THE SUPREME COURT:	
For the salaries of the Chief Justice and eight Associate Justices	301,500.00
For the salary of the Clerk of Court, Est.	26,130.00
For the salary of the Marshal and Librarian, Estimated	26,130.00
For the salary of Reporter of Decisions, Estimated	21,502.00
For the salaries of Law Clerks, Estimated	110,214.00
For other salaries	356,524.00
For other expenses	85,000.00
For equipment purchases	5,000.00
For printing Alabama Reports, Estimated	13,000.00
For Advisory Committee Work.	5,000.00
For Judicial Education	5,000.00
Total.	955,000.00
For the Supreme Court Library Fund	85,000.00
(2) COURT OF CRIMINAL APPEALS:	
For the salaries of the judges	165,000.00
For the salary of Clerk of Court, Estimated	26,130.00
For the salaries of Law Clerks, Estimated	61,230.00
For other salaries	112,125.00
For other expenses	31,000.00
For equipment purchases	5,000.00
For printing Appellate Court Reports, Estimated.	8,000.00
Total.	408,485.00

(3) COURT OF CIVIL APPEALS:		
For the salaries of the Judges . . .	99,000.00	
For the salaries of Law Clerks, Estimated	39,238.00	
For the salary of Clerk of Court, Estimated	26,130.00	
For other salaries	72,915.00	
For other expenses	18,500.00	
For rental of office space	27,125.00	
For equipment and book pur- chases	1,000.00	
For printing Appellate Court Reports, Estimated	7,200.00	
Total		291,108.00
(4) THE CIRCUIT COURTS:		
For the salaries of the Judges of the Circuit Courts, Estimated		2,450,000.00
For travel expenses of Circuit Judges, Est- imated		25,000.00
For College of Trial Judges, as provided in Act No. 730, 1967 Regular Session		10,000.00
For telephone service, stationery, stamps, books, equipment purchases and necessary office supplies for the office use of Circuit Judges		50,000.00
For the salaries and travel expenses of special Judges, Estimated		15,000.00
For salaries of District Attorneys, Estimated	936,000.00	
For salary of elected Deputy District Attorney of the Bes- semer Division of the 10th Judicial Circuit	23,000.00	
For the salary of the appointed Assistant Deputy District At- torney of the Bessemer Division of the 10th Judicial Circuit	3,600.00	
For the salary of the First Deputy District Attorney of the Bir- mingham Division of the 10th Judicial Circuit	5,700.00	
For the salaries of the Second and Third Deputies District Attorneys of the Birmingham Division of the 10th Judicial Circuit	10,000.00	
For the salaries of the Fourth, Fifth, Sixth, Seventh and Eighth Deputies District Attorneys of The Birmingham Division of the 10th Judicial Circuit: \$4,000.00 each	20,000.00	
For the salary of the Deputy District Attorney of the 1st Judicial Circuit	3,600.00	

For the salary of the Deputy District Attorney of the 4th Judicial Circuit, Estimated	24,000.00
For the salaries of the Deputies District Attorneys of the 6th Judicial Circuit	14,400.00
For the salary of the Deputy District Attorney of the 7th Judicial Circuit	6,900.00
For the salary of the Deputy District Attorney of the 8th Judicial Circuit	10,800.00
For the salaries of the Deputies District Attorneys of the 9th Judicial Circuit	7,200.00
For the salary of the Deputy District Attorney of the 10th Judicial Circuit	22,000.00
For the salary of the Deputy District Attorney of the 11th Judicial Circuit	4,500.00
For the salaries of the Deputies District Attorneys of the 13th Judicial Circuit, Estimated	39,625.00
For the salary of the Assistant District Attorney of the 14th Judicial Circuit	7,200.00
For the salaries of the Deputies District Attorneys of the 15th Judicial Circuit	38,600.00
For the salaries of the Deputies District Attorneys of the 16th Judicial Circuit	6,000.00
For the salaries of the Deputies District Attorneys of the 23rd Judicial Circuit	42,000.00
For the salaries of the Deputies District Attorneys of the 26th Judicial Circuit	13,000.00
For the salary of the Deputy District Attorney of the 27th Judicial Circuit	7,200.00
For the salary of the Deputy District Attorney of the 29th Judicial Circuit	7,200.00
For the salaries of the Deputy District Attorneys of the 31st Judicial Circuit	4,200.00
For the salary of the Deputy District Attorney for the 32nd Judicial Circuit	9,600.00
For the salary of the Deputy District Attorney for the 38th Judicial Circuit	3,600.00
For the travel expenses of the District Attorneys, Estimated. .	40,000.00

For the salary of the stenographic secretary of the 6th Judicial Circuit	1,200.00	
For telephone service, stationery, stamps and necessary office supplies for the office use of the District Attorneys, Deputy District Attorneys or Assistants (Provided, however, that none of this appropriation shall be expended for books and equipment purchases.)	50,000.00	
For the salaries of the Public Defenders for the 21st Judicial Circuit, as provided by Act No. 1158, 1969 Regular Session.	24,000.00	
Total		1,385,125.00
For the salary and expenses of Supernumerary District Attorneys, Estimated.		125,737.00

(5) DEPARTMENT OF COURT MANAGEMENT:

For transfer to the Department of Court Management Fund	78,666.00
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(6) COURT REPORTERS:

For the compensation of the Circuit Court Reporters, Estimated	350,000.00
For the compensation of the Supernumerary Circuit Court Reporters, Estimated	70,000.00

(7) SUPERNUMERARY JUDGES:

For salaries of Supernumerary Judges and Justices, Estimated	275,000.00
For expenses of Supernumerary Judges and Justices, Estimated	35,000.00

(8) JUDICIAL INQUIRY COMMISSION

44,500.00

(9) JUDICIARY RETIREMENT FUNDS, ESTIMATED

885,000.00

(10) PERMANENT STUDY COMMISSION ON ALABAMA'S JUDICIAL SYSTEM

25,000.00

For matching Federal funds, if available, monies from any of the above appropriations (II, Judicial), regardless of whether they are also specified, may be used for the purpose.

III. EXECUTIVE:

A. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:

(1) ALABAMA ACADEMY OF HONOR	1,500.00
(Pursuant to provisions of Act No. 15, Third Special Session 1965.)	

(2) STATE BOARD OF ADJUSTMENT:

- (a) For expenditures by the Board payable from General Fund for the General Fund Contribution to the total ex-

penditure of \$200,000 pursuant to Title 55, Section 343	15,000.00
(b) For expenditures by the Board payable from General Fund the provisions of Act No. 208, 1966 Special Session and Act No. 436, 1967 Regular Session, Estimated	100,000.00
(3) ADVERTISING LANDS FOR TAX SALE, ESTIMATED	14,000.00
(4) COMMISSION ON AGING—TRANSFER	150,000.00
(5) DEPARTMENT OF AGRICULTURE AND INDUSTRIES:	
(a) For transfer to the Agricultural Fund for salaries, other expenses and equipment purchases for the Department of Agriculture and Industries.	2,540,000.00
(b) For transfer to the Department of Agriculture and Industries to be expended by the Meat and Poultry Inspection Division for salaries, other expenses, equipment purchases and automotive equipment purchases	700,000.00
(c) For transfer to the Department of Agriculture and Industries to be expended by the Egg Inspection Division for salaries, other expenses and equipment purchases	53,000.00
(d) For transfer to the Department of Agriculture and Industries to be expended by said Department for salaries, other expenses, equipment purchases, automotive equipment purchases and for purchase of insecticides and chemicals for control of the fire ant	250,000.00
(The above appropriation in item (d) shall be conditional upon the condition of the State Treasury with the approval of the Governor.)	
(6) AGRICULTURE CENTER BOARD:	
(a) For transfer to the Agriculture Center Board for salaries and other expenses .	50,265.00
(b) For expenses and awarding of prizes as provided by Act No. 1122, 1969 Regular Session.	90,000.00
(7) ALABAMA AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION	40,000.00
(8) APPALACHAIN REGIONAL DEVELOPMENT PROGRAM	150,000.00
(9) DEPARTMENT OF ARCHIVES AND HISTORY:	
For the salary of the Director	22,728.94

For other salaries	189,771.06	
For other expenses	40,000.00	
For equipment purchases. . . .	5,000.00	
For expenses of printing of the Alabama Historical Quarterly	7,500.00	
For expenses of printing of the Statistical Register	<u>10,000.00</u>	
Total		275,000.00
(10) ARREST OF ABSCONDING FELONS:		
For expenses incident to the arrest of absconding felons, Estimated		2,000.00
(11) ALABAMA COUNCIL ON THE ARTS AND HUMANITIES:		
For transfer to the Council on the Arts and Humanities		100,000.00
(12) PAYMENT OF ATTORNEYS FEES IN INDIGENT CAPITAL CASES, EST- IMATED		
(As provided in Act No. 176, 1947 Acts, page 61)		37,500.00
(13) OFFICE OF THE ATTORNEY GENERAL:		
For the salary of the Attorney General	33,500.00	
For the salary of the Deputy Attorney General	32,500.00	
For the salary of the Execu- tive Assistant, Estimated ..	26,130.00	
For other salaries	725,000.00	
For other expenses	110,000.00	
For equipment purchases. . . .	6,000.00	
For automotive equipment purchases	5,000.00	
For special investigation as provided by Act No. 1080, 1969 Regular Session	<u>15,000.00</u>	
Total		953,130.00
(For Matching Federal Funds, if available, \$60,000 from any of the above appro- priations may be used for this purpose.)		
(14) OFFICE OF THE STATE AUDITOR:		
(a) For operation of the De- partment:		
For the salary of the State Auditor	22,970.00	
For other salaries	160,000.00	
For other expenses	37,030.00	
For equipment purchases. . . .	<u>5,000.00</u>	
Total		225,000.00

(b) Office of the State Auditor—Property Inventory:	
For salaries	50,000.00
For other expenses	9,150.00
For equipment purchases.	<u>850.00</u>
Total.	60,000.00
(15)AUTOMATIC APPEAL EXPENSE, ESTIMATED.	3,000.00
Provided in 1943 Acts of Legislature, page 217.	
(16)COOSA-ALABAMA DEVELOPMENT AUTHORITY.	12,500.00
(17)TRANSFER TO STATE DOCKS DEPARTMENT:	
For dredging and constructing the Theodore ship channel	2,000,000.00
(18)(a) STATE BANKING DEPARTMENT:	
For transfer to the State Banking Department.	113,000.00
(b) BANKING DEPARTMENT-BUREAU OF LOANS:	
For transfer to the State Banking Department.	140,000.00
(19)BICENTENNIAL COMMISSION, ALABAMA	30,000.00
(20)BUILDING COMMISSION:	
For salaries, other expenses, equipment purchases and automotive equipment purchases	100,000.00
(21)ALABAMA HISTORICAL COMMISSION-TRANSFER	7,000.00
(For operation of Cahaba Historical Site in accordance with Act No. 155, 1975 Third Special Session.)	
(22)ALABAMA WING OF CIVIL AIR PATROL.	35,000.00
(23)CIVIL COURT COST IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS, ESTIMATED.	100.00
(24)DEPARTMENT OF CIVIL DEFENSE:	
(a) For salaries, other expenses and equipment purchases	195,000.00
(b) For matching Federal Funds-Disaster Relief	1,492,000.00
(25)DEPARTMENT OF CONSERVATION:	
For transfer to Conservation—State Parks Fund—	
For salaries, other expenses, equipment purchases and capital outlay for the State Parks Division	1,500,000.00

(26) BOARD OF CORRECTIONS:	
For transfer to Board of Corrections.	7,800,000.00
(27) COUNCIL OF STATE GOVERNMENTS .	30,790.00
(28) COURT COSTS, ESTIMATED	250,000.00
To be paid by the State of Alabama pursuant to Act No. 558, 1957 Acts, page 777.	
(29) COURT COSTS, ESTIMATED	65,000.00
To be paid by the State of Alabama not otherwise provided for.	
(30) DEPARTMENTAL EMERGENCY FUND	450,000.00
This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section.	
(31) ALABAMA DEVELOPMENT OFFICE:	
For transfer to Alabama Development Office for operations.	2,561,000.00
For transfer of the Alabama Development	
(32) ELECTION EXPENSES, ESTIMATED . .	900,000.00
(33) ELK RIVER DEVELOPMENT ASSOCIATION	5,000.00
(34) STATE EMPLOYEES INSURANCE. . . .	450,000.00
To pay the State's share of the State Employees Insurance Program, estimated.	
(35) STATE EMPLOYEES INSURANCE BOARD:	
For salaries	31,750.00
For other expenses	5,900.00
For equipment purchases.	350.00
Total	38,000.00
(36) EMPLOYEES' RETIREMENT FUND—STATE'S PART, ESTIMATED	3,300,000.00
(37) ETHICS COMMISSION, ALABAMA:	
For operations of the Alabama Ethics Commission	100,000.00
(38) FAIR TRIAL TAX-TRANSFER.	100,000.00
To be expended in accordance with Act No. 525 and Act No. 526, 1963 Regular Session.	
(39) FARMERS' MARKET AUTHORITY:	
For transfer to the Farmers' Market Authority for the operation of the Farmers' Market Authority.	53,000.00
(40) FEEDING OF PRISONERS:	
For expenses of feeding prisoners in county jails, Estimated	1,300,000.00
(41) DEPARTMENT OF FINANCE:	
(a) Director's Office:	
For the salary of the Director, Estimated	24,000.00

For the salary of the Assistant Director, Estimated.....	23,699.00	
For other salaries	12,246.00	
For other expenses	<u>8,500.00</u>	
Total.....		68,445.00
(b) Division of the Budget:		
For salaries	232,400.00	
For other expenses	16,600.00	
For equipment purchases.....	11,000.00	
To carry out the provisions of the Governor's Committee on Fiscal Responsibility's Contractual Services for Program Budgeting initiation.....	<u>150,000.00</u>	
Total.....		410,000.00
(c) Division of Control and Accounts:		
For salaries	475,000.00	
For other expenses	200,000.00	
For equipment purchases.....	<u>5,000.00</u>	
Total.....		680,000.00
(d) Legal Division:		
For salaries	57,630.00	
For other expenses	6,370.00	
For equipment purchases.....	<u>1,000.00</u>	
Total.....		65,000.00
(e) Data Systems Management—Transfer.....		150,000.00
(f) Data Systems Management Revolving Fund...		450,000.00
(g) Division of Printing and Publications.....		50,000.00
(h) Division of Purchases and Stores:		
For salaries	304,500.00	
For other expenses	35,000.00	
For equipment purchases.....	<u>2,000.00</u>	
Total.....		341,500.00
(i) Division of Service:		
For salaries	782,000.00	
For other expenses	360,000.00	
For equipment purchases.....	<u>15,000.00</u>	
Total.....		1,157,000.00
(j) Space Management Operations.....		60,000.00
(k) Equipment purchases for the State Offices in the Executive, Administrative and Judicial Departments...		5,000.00
(42) MATCHING FEDERAL FUNDS NOT OTHERWISE PROVIDED FOR.....		100,000.00

(43) ALABAMA FORESTRY COMMISSION:		
For transfer to the Alabama Forestry Commission—For salaries, other expenses, equipment purchases and automotive equipment purchases		1,800,000.00
(44) FORT MORGAN HISTORICAL COMMISSION:		
For salaries	37,000.00	
For other expenses	20,000.00	
For equipment purchases	<u>2,800.00</u>	
Total		59,800.00
(45) GEOLOGICAL SURVEY:		
For the salary of the State Geologist		26,591.00
For other salaries	350,000.00	
For other expenses	110,000.00	
For equipment purchases	5,000.00	
For operation of new building	18,409.00	
For matching funds for investigation of water, mineral & energy resources of the State	230,000.00	
For test drilling	25,000.00	
For topographic Mapping	<u>25,000.00</u>	
Total		790,000.00
(46) GORGAS MEMORIAL BOARD		9,500.00
To provide for the appropriation authorized by Act No. 417, 1943 Acts, page 383 and an additional amount.		
(47) THE GOVERNOR'S OFFICE:		
(a) For operation of the Department:		
For the salary of the Governor	28,955.00	
For the salary of the Executive Secretary	22,729.00	
For the salary of the Legal Advisor	22,729.00	
For the salary of the Press Secretary	22,729.00	
For the salary of the Confidential Assistant	22,729.00	
For other salaries	147,204.00	
For other expenses	105,000.00	
For printing Governor's State Budget, Estimated	22,000.00	
For equipment purchases	3,500.00	
For automotive equipment purchases	<u>8,000.00</u>	
Total		405,575.00
(b) For the Governor's Emergency Fund, to be expended at the direction of the Governor		100,000.00

(c) For the Governor's Controlled Contingency Fund	60,000.00
(d) For Governor's Office—	
Consumer Agency:	
For salaries	119,000.00
For other expenses	40,000.00
For equipment purchases.	1,000.00
Total	160,000.00
(e) For the Mansion Fund	45,000.00
(f) For the Governor's Mansion at Gulf Shores	10,000.00
(48) EXPENSES OF GOVERNOR'S PROCLAMATION, ESTIMATED	150,000.00
(49) NATIONAL GOVERNOR'S CONFERENCE	16,150.00
(50) GOVERNOR'S RETIREMENT, ESTIMATED	9,000.00
(51) GOVERNOR'S WIDOWS RETIREMENT, ESTIMATED.	14,400.00
(52) DEPARTMENT OF HEALTH:	
(a) For Administration of all State Health Services and Programs (excluding Medicaid)	8,557,912.00
(b) For Medicaid:	
For transfer to the Medicaid Account ..	50,273,500.00
(c) For Emergency Medical Services.	20,000.00
(53) HELEN KELLER HOME:	
For operation and maintenance.	5,000.00
(54) OFFICE OF HIGHWAY AND TRAFFIC SAFETY:	
For transfer to Office of Highway and Traffic Safety	75,000.00
(55) ALABAMA HISTORICAL COMMISSION:	
For transfer to Alabama Historical Commission	264,720.00
(56) HISTORIC CHATTAHOOCHEE COMMISSION	74,650.00
(57) RICHMOND PEARSON HOBSON MEMORIAL BOARD.	9,500.00
To provide the appropriation authorized by Act No. 536, 1943 Acts, page 510 and an additional amount.	
(58) DEPARTMENT OF INDUSTRIAL RELATIONS:	
For salaries	389,400.00
For other expenses	70,000.00
For equipment purchases.	1,000.00
For automotive equipment purchases	4,600.00
Total	465,000.00

(59) DEPARTMENT OF INSURANCE:		
For salary of the Director . . .	24,487.71	
For other salaries	399,512.29	
For other expenses	118,000.00	
For equipment purchases. . .	3,000.00	
For automotive equipment purchases	<u>5,000.00</u>	
Total		550,000.00
(60) INTERPRETER'S ACCOUNT, ESTIMATED		
(To carry out provisions of Act No. 799, 1965 Regular Session.)		100.00
(61) COURT OF JUDICIARY:		
For salaries	2,500.00	
For other expenses	4,150.00	
For equipment purchases. . .	<u>200.00</u>	
Total		6,850.00
(62) STATE LABOR DEPARTMENT:		
For salary of the Director . . .	22,729.00	
For other salaries	105,571.00	
For other expenses	26,200.00	
For equipment purchases. . .	<u>500.00</u>	
Total		155,000.00
(63) LAGRANGE HISTORICAL COMMISSION		
(To provide the appropriation and for the expenditures authorized by Act No. 551, 1943 Acts, page 540.)		2,500.00
(64) LAW ENFORCEMENT LEGAL DEFENSE, ESTIMATED		
(To carry out provisions of Act No. 259, 1957 Regular Session.)		2,000.00
(65) ALABAMA LAW ENFORCEMENT PLANNING AGENCY:		
For matching Federal Funds		615,000.00
(66) TRANSFER TO TELEPHONE REVOLVING FUND		
		576,720.00
(67) LIVESTOCK COLISEUM:		
For transfer to the Livestock Coliseum Fund for the operation of the Livestock Coliseum		140,000.00
(68) MAILING TAX NOTICES, ESTIMATED		
		7,500.00
(69) MENTAL HEALTH:		
For transfer to Special Mental Health Fund		14,800,000.00
(70) MILITARY DEPARTMENT:		
(a) For operation of the Department:		
For salary of the Adjutant General	22,729.00	
For other salaries	528,271.00	
For other expenses	110,000.00	
For equipment purchases. . .	<u>4,000.00</u>	

Total	665,000.00
(b) For Quarterly Allowances:	
For Headquarters	5,000.00
For Regular Allowance to Units.	363,500.00
Provided that not more than \$5,000 may be allotted in any fiscal year for the Headquarters, Alabama National Guard.	
(c) For Active Military Service—Active National Guard	100,000.00
(d) For transfer to the Armory Com- mission:	
For care and maintenance of armories . .	950,000.00
For construction of armories	681,000.00
(71) OIL AND GAS BOARD:	
(a) Operations of Board:	
For salaries	419,500.00
For other expenses	100,000.00
For equipment purchases.	5,000.00
For salaries, other ex- penses, equipment pur- chases and automotive equipment purchases to be allotted upon opening of New Oil and Gas Fields	40,000.00
Total	564,500.00
(b) For the Oil and Gas Board to monitor offshore oil drilling	60,000.00
(72) BOARD OF PARDONS AND PAROLES:	
For salaries of Board Mem- bers	63,321.00
For other salaries	1,471,679.00
For other expenses	150,000.00
For equipment purchases.	9,000.00
For Federal matching Funds.	50,000.00
Total	1,744,000.00
(73) DEPARTMENT OF PENSIONS AND SECURITY:	
For transfer to the Department of Pensions and Security for the support, maintenance and operations of the functions of Pensions and Security	13,000,000.00
(74) PERSONNEL DEPARTMENT:	
For transfer to the Personnel Department for the payment of the State's General Fund share of the cost of operating the Department	109,760.00
(75) FIRST WHITE HOUSE OF CON- FEDERACY	11,500.00
(76) COMMISSION TO PRESERVE THE PEACE:	
For salaries and other expenses.	10,000.00

(For purposes of phasing out the operations
by December 31, 1975.)

(77) PRESIDENTIAL ELECTORAL EXPENSE, ESTIMATED	600.00
(78) PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES, ESTIMATED.	10,000.00
(79) BOARD OF EXAMINERS OF PSYCHOLOGY:	
For transfer to Board of Examiners of Psychology for operation	1,600.00
(80) BUREAU OF PUBLICITY AND INFORMATION:	
(a) For operation of the Department:	
For salary of the Director.	20,533.00
For other salaries	58,467.00
For other expenses	63,000.00
For equipment purchases.	1,000.00
For Ave Maria Grotto ...	2,500.00
For Blue and Gray Football Game	10,000.00
For Guntersville Boat Races	9,500.00
For Lake Eufaula Festival	10,000.00
For Mobile Carnival Association	5,000.00
For Mobile Junior Miss Pageant	25,000.00
For National Peanut Festival Association ...	10,000.00
For Spirit of America Festival, Inc.	5,000.00
For Alonzo Stagg Bowl ..	5,000.00
For Alabama Mountain Lake Association	20,000.00
For Gulf Shores Tourist Association	15,000.00
Total	260,000.00
(b) Welcome Centers:	
For salaries	125,000.00
For other expenses	35,000.00
For Bureau's share in constructing and equipping Welcome Centers	100,000.00
Total	260,000.00
(81) DISTRIBUTION OF PUBLIC DOCUMENTS, ESTIMATED	30,000.00
(82) TALLACOOSA MOUNTAIN LAKE ASSOCIATION	10,000.00
(83) DEPARTMENT OF PUBLIC SAFETY:	
For the salary of the Director	22,729.00
For other salaries	10,580,271.00
For other expenses	3,682,000.00

For Workman's Compensation Insurance, Est. . .	140,000.00	
For equipment purchases. . .	150,000.00	
For automotive equipment purchases	<u>750,000.00</u>	
Total		15,325,000.00
(84) REGISTRATION OF VOTERS, ESTIMATED		450,000.00
(85) REMOVAL OF PRISONERS:		
For expenses incident to removal of prisoners, Estimated		75,000.00
(86) DEPARTMENT OF REVENUE:		
(a) For transfer to the Department of Revenue for the General Fund share of the cost of operating the Department		1,201,096.54
(b) For Auto Title and Auto Theft Fund . . .		500,000.00
(c) Boards of Equalization:		
For salaries of the members and employees of the county boards of equalization	143,750.00	
For other expenses	<u>4,000.00</u>	
Total		147,750.00
(d) Equalization Fund		250,000.00
(This is the appropriation set out under Act No. 160, 3rd Special Session of the 1971 Alabama Legislature.)		
(87) RIVERBOAT ASSOCIATION, MONTGOMERY		25,000.00
(88) OFFICE OF SECRETARY OF STATE:		
(a) For operation of the Department:		
For the salary of the Secretary of State	22,959.00	
For other salaries	78,026.00	
For other expenses	29,250.00	
For equipment purchases.	<u>2,500.00</u>	
Total		132,735.00
(b) Law Books Inventory:		
For salaries	9,000.00	
For other expenses	4,000.00	
For equipment purchases.	<u>2,000.00</u>	
Total		15,000.00
(c) Uniform Commercial Code:		
For salaries	56,000.00	
For other expenses	28,000.00	
For equipment purchases.	<u>3,500.00</u>	
Total		87,500.00

(89) SECURITIES COMMISSION:		
For salaries	104,000.00	
For other expenses	15,000.00	
For equipment purchases.	<u>5,000.00</u>	
Total		124,000.00
(90) STATE'S SHARE OF SOCIAL SECURITY, ESTIMATED		1,200,000.00
(91) SOCIAL SECURITY ADMINISTRATION:		
For salaries	115,000.00	
For other expenses	19,000.00	
For equipment purchases.	<u>2,000.00</u>	
Total		136,000.00
(92) SOIL CONSERVATION COMMITTEE:		
For salaries	46,122.00	
For other expenses	71,778.00	
For Watershed Planning Party	75,000.00	
Water Conservation Districts	60,300.00	
For equipment purchases.	<u>1,000.00</u>	
Total		254,200.00
(93) SOUTHERN INTERSTATE NUCLEAR BOARD.		11,057.00
(94) WOMEN'S COMMISSION, ALABAMA		10,000.00
(95) SPORTS HALL OF FAME BOARD		25,000.00
(To carry out provisions of Act No. 225, 1967 Regular Session.)		
(96) ALABAMA STEER SHOW ASSOCIATION		10,000.00
(97) TANNEHILL FURNACE AND FOUNDRY COMMISSION		25,000.00
(98) TENNESSEE RIVER DEVELOPMENT AUTHORITY		10,000.00
(99) TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY		120,000.00
(To carry out the provisions of Act No. 355, 1957 Regular Session, approved August 23, 1957.)		
(100) STATE TOXICOLOGIST:		
For the salary of the State Toxicologist	26,252.00	
For other salaries	420,748.00	
For other expenses	80,000.00	
For equipment purchases.	25,000.00	
For automotive equipment purchases	8,000.00	
For Matching Federal Funds.	<u>60,000.00</u>	
Total		620,000.00
(101) OFFICE OF THE STATE TREASURER:		
For the salary of the State Treasurer	22,959.00	
For other salaries	300,000.00	

For other expenses	75,000.00	
For equipment purchases. . . .	12,000.00	
For vault equipment purchases	<u>3,000.00</u>	
Total		412,959.00
(102) STATE TREASURER—PREVIOUS YEAR UNPAID WARRANTS, ESTIMATED		50,000.00
(103) TRI-RIVERS DEVELOPMENT ASSOCIATION		30,000.00
(104) COMMISSION ON UNIFORM STATE LAWS		4,000.00
(Total amount appropriation by Act No. 926, Acts 1951, page 1575, for expenses, operation and contributions of Commission.)		
(106) DEPARTMENT OF VETERANS AFFAIRS:		
For the salary of the Service Commissioner	19,996.00	
For other salaries	1,186,995.00	
For other expenses	67,000.00	
For equipment purchases. . . .	4,000.00	
For contract with Veterans of Foreign War Organization. . .	36,000.00	
For contract with disabled American Veterans Organization	9,000.00	
Automotive Equipment Purchases	<u>16,000.00</u>	
Total		1,338,991.00
(107) NATIONAL VETERANS DAY COMMITTEE, BIRMINGHAM, ALABAMA		3,000.00
(108) VETERANS DAY COMMISSION, ALABAMA		1,500.00
(109) VETERANS DAY COMMISSION, NATIONAL		1,500.00
(110) WATERSHED CONSERVANCY DISTRICTS:		
(1) Bear Creek Development Authority	35,000.00	
(2) Choccolocco Watershed	4,000.00	
(3) Crooked Creek Watershed	2,500.00	
(4) Ketchepedrakee Watershed	2,500.00	
(5) Big Nance Creek Watershed.	2,500.00	
(111) LAW ENFORCEMENT PLANNING AGENCY:		
Diversion Investigating Unit	350,000.00	
(Conditional upon the condition of the State Treasury and upon the approval of the Governor.)		
(112) TALLASSEEHATCHEE WATERSHED		2,500.00

(113) Transfer to State Highway Department.	13,500,000.00
For Transfer to State Highway Department conditional upon the condition of the State Treasury and with the approval of the Governor.	3,000,000.00
(114) Agricultural and Industrial Exhibit Com- mission For the construction of a Swine Pavilion.	150,000.00
(115) Interstate Mining Compact.	4,500.00
(116) Birmingham Festival of Arts	25,000.00
(117) For Alabama Travel Council	15,000.00
(118) The following appropriations in Section 118 shall be conditional upon the condition of the State General Fund and with the ap- proval of the Governor for the fiscal year ending September 30, 1976:	
(1) Birmingham—Fort John C. Persons	250,000.00
(2) Luverne Armory.	75,000.00
(For construction of Lu- verne Armory 60,000.00 of the amount above and 15,000.00 for land acqui- sition	
(3) Pea River Historical and Genological Society of Enterprise	25,000.00
(4) Tannehill Furnace and Foundry Commission	25,000.00
(5) Department of Court Management	60,000.00
(6) Commission on Aging	25,000.00
(7) For the Governor's com- mittee on Reorganiza- tion of State Govern- ment	38,500.00
(8) Commission on Intergov- ernmental Cooperation	40,000.00
(9) Alabama Historical Com- mission: For the completion of Con- stitutional Hall at Hunts- ville.	85,000.00
For the purchase and/or preservation of Steverson Depot in Jackson County, Alabama.	35,000.00
(10) For Ave Maria Grotto	10,000.00
(11) Chilton County Peach Festival	5,000.00

(12) Health Department—	
Medicaid.	326,500.00
Total Conditional Appropriation ..	1,000,000.00

B. DEBT SERVICE:

- | | |
|--|--------------|
| (1) For the payment of principal and interest due on bonds issued by Alabama State Hospitals and Partlow State School Bond Commission pursuant to Constitutional Amendment No. CXVIII. | 281,440.00 |
| (2) For interest on Spanish American War Veterans Fund, Estimated | 294.86 |
| (3) For the payment of principal and interest due on bonds issued by State Docks—Inland Waterways, pursuant to Constitutional Amendment No. CXVI, Estimated | 1,851,512.50 |
| (4) For the payment of principal and interest on bonds issued by the State Parks Development Authority pursuant to Constitutional Amendment as provided in Act No. 272, 1967 Regular Session, Estimated | 771,495.00 |
| (5) For the payment of principal and interest due on bonds issued for the Space Exhibit Commission pursuant to Constitutional Amendment No. CCXXIV. | 227,480.00 |
| (6) For the payment of principal and interest due on bonds issued for the Tennessee-Tombigbee Waterway pursuant to Constitutional Amendment No. CCLXX as provided by in Act No. 248, 1967 Regular Session, Estimated. | 438,445.00 |

C. FROM FUNDS OTHER THAN GENERAL FUND:**(1) ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY:**

For salaries, other expenses and equipment purchases	105,000.00
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In addition to the amount appropriated hereinabove to the Alabama State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any applications for license which may have been rejected by the Board or withdrawn by request of applicant.

The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama State Board of Public Accountancy Fund.

(2) AERONAUTICS DEPARTMENT:

- | | |
|---|-----------|
| (a) For the salary of the Director, Estimated | 22,729.00 |
|---|-----------|

For other salaries	70,000.00	
For other expenses	40,079.00	
For equipment purchases.	<u>1,000.00</u>	
Total.		133,808.00
(b) For State Aid to Airports—For Airports and Airmarkings		450,000.00
The above appropriation to Aeronautics Department shall be paid from the State Airports Development Fund as provided by Act No. 402, Acts 1945, page 620, and the total expenditures shall in no manner exceed the amounts hereby appropriated.		
(3) COMMISSION ON AGING:		
For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts		175,000.00
The above appropriation is payable from the funds transferred to this account in Item III A (4) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.		
(4) AGRICULTURE AND INDUSTRIES:		
(a) For the salary of the Commissioner	22,959.00	
For other salaries	2,576,863.00	
For other expenses	910,000.00	
For equipment purchases.	80,000.00	
For automotive equipment purchases	109,738.00	
For transfer to State Personnel Department	10,990.00	
For transfer to Agriculture Center Board.	54,450.00	
For awarding prizes and premiums	20,000.00	
For transfer to Telephone Revolving Fund	<u>18,900.00</u>	
Total.		3,803,900.00
The above appropriations are payable from funds in the Agricultural Fund and shall include the appropriations made to said fund in Item III A (5)(a). The above appropriations for other salaries, other expenses, equipment purchases and automotive equipment purchases shall be used for the operation and maintenance of the Department of Agriculture and Industries and for Bangs Disease Control, Disease of Swine, Swine Diagnostic Laboratory, Fire Ant Control, Pesti-		

cide Laboratory, Poultry Disease Control, White Fringed and Japanese Beetle Control, for inspection, grading and classification of fruits and vegetables, and any other services connected with the operations of Agriculture and Industries in the State of Alabama.

Any surplus remaining in the Agricultural Fund at the end of the fiscal year in excess of \$150,000.00 shall be transferred to the State General Fund.

(b) Egg Inspection Division:

For salaries	66,000.00	
For other expenses	14,550.00	
For equipment purchases.	1,000.00	
For automotive equipment purchases	<u>11,000.00</u>	
Total		92,550.00

The above appropriations are payable from funds in the Egg Inspection Fund and shall include the appropriations made to said fund in Item III A (5)(c).

(c) Meat and Poultry Inspection Division:

For salaries	990,000.00	
For other expenses	255,000.00	
For equipment purchases.	<u>4,000.00</u>	
Total		1,249,000.00

The above appropriations are payable from the funds to the credit of the Meat and Poultry Inspection Fund and shall include the appropriation made herein in Item III A (5) (b).

(d) Plant Industry Division (Fire Ant Control)

For salaries, other expenses, equipment purchases and for purchase of insecticides and chemicals for control of the fire ant, estimated.	250,000.00
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The above appropriations are payable from the funds transferred to this account in Item III A (5) (d) of this Act. In addition to the above appropriation, any funds received for this work from the Federal Government and grants and contributions from other sources are hereby appropriated.

(e) Agriculture Center Board:

For salaries	36,036.00	
For other expenses	9,100.00	
For rental (Livestock Coliseum, Montgomery).	<u>54,450.00</u>	
Total		99,586.00

The above appropriation to the Agriculture Center Board shall be paid out of the Agricultural Center Board Fund and includes the appropriation made to said fund as provided in Item III A (6) (a) and Item III C (4)(a).

(f) Livestock Coliseum:	
For salaries	115,000.00
For other expenses	165,000.00
For equipment purchases	6,000.00
For repairs to Coliseum	25,000.00
Total	311,000.00

The funds hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation herein above includes the appropriation made to said Fund as provided in Item III A (67).

- (g) Shipping Point Inspection Fund:
There is hereby appropriated, out of receipts to the Shipping Point Inspection Fund (Act No. 26, Legislature of 1956, approved March 23, 1956). For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses, equipment purchases and automotive equipment purchases, all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.

(5) ALCOHOLIC BEVERAGE CONTROL BOARD:

- (a) Administrative and Stores Division:
For the salary of the Administrator 22,729.00
For other salaries 10,336,115.93
For other expenses
(Transportation cost for merchandise excluded) 3,342,074.00
For equipment purchases 223,043.00

For automotive equipment purchases	5,000.00	
Awards for Convictions, estimated	1,000.00	
For transfer to State Personnel Department ..	36,750.00	
For transfer to Mental Health Department	375,000.00	
For transportation cost on merchandise, estimated .	490,193.00	
For transfer to Telephone Revolving Fund	<u>11,340.00</u>	14,843,244.93

In addition to the above appropriations herein made there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

(b) Law Enforcement Division:

For salaries	1,520,060.00	
For other expenses	563,996.00	
For equipment purchases.	34,000.00	
For automotive equipment purchases	<u>160,000.00</u>	
Total		2,278,056.00

The appropriations hereinabove made (a) and (b) to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.

(c) Beer Tax and Licenses Division:

For salaries	629,388.00	
For other expenses	317,972.00	
For equipment purchases.	<u>4,500.00</u>	
Total		951,860.00

In addition to the above appropriation it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum authorize the legal sale of malt and brewed beverages within such county or municipality, there is further appropriated, in addition to the amounts herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further, that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

(6) STATE BOARD OF REGISTRATION
FOR ARCHITECTS:

For salaries	10,000.00
For other expenses	22,000.00
For equipment purchases.	300.00

Total	32,300.00
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The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

(7) ARMORY COMMISSION:

For salaries and other expenses.	1,009,000.00
For equipment purchases.	10,000.00
For automotive equipment purchases.	5,000.00

For Matching Federal Funds
for the Construction and
Renovations of Armories:

Elba	80,000.00
Enterprise	193,000.00
Gadsden	160,000.00
Guntersville	114,000.00
Jacksonville	134,000.00

Total	1,705,000.00
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The funds hereinabove appropriated to the Armory Commission shall be paid out of the funds in the State Treasury to the credit of Armory Commission and the appropriation hereinabove made includes the appropriation made for the care and main-

tenance of armories and construction as provided in Item III A(70)(d) in this Act. Provided, however, that the last Federal Government service contract reimbursement shall not revert to the State General Fund. Any surplus remaining in the Armory Commission at the end of the fiscal year in excess of \$50,000.00 shall be transferred to the State General Fund.

(8) ALABAMA COUNCIL ON THE ARTS AND HUMANITIES:

For salaries, other expenses, and equipment purchases	100,000.00
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The funds hereinabove appropriated to the Alabama Council on the Arts shall be paid out of the Council on the Fine Arts Fund and the appropriation hereinabove made includes the appropriation made in Item III A(11) of the Act.

(9) DEPARTMENT OF BANKING:

(a) Bureau of Banking:

For salaries, other expenses, equipment purchases and automotive equipment purchases, estimated	537,000.00
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The above appropriation shall be paid from the Banking Assessment Fees as provided in Act No. 373, 1965 Regular Session.

(b) Bureau of Credit Unions:

For salaries	69,667.00
For other expenses	28,115.00
For equipment purchases.	<u>1,000.00</u>
Total	98,782.00

The above appropriation shall be paid from the Banking Department—Bureau of Credit Unions as provided in Act No. 2293, Regular Session 1971.

(10) DEPARTMENT OF BANKING—LOAN EXAMINATION FUND:

For salaries	230,000.00
For other expenses	65,000.00
For equipment purchases.	<u>500.00</u>
Total	295,500.00

The above appropriation shall be paid out of the Loan Examination Fund as provided in Act No. 374, 1959 Regular Session.

(11) ALABAMA STATE BAR ASSOCIATION:

For salaries	100,000.00
For other expenses	135,000.00
For equipment purchases.	<u>500.00</u>
Total	235,500.00

The above appropriation is payable out of the funds in the State Treasury to the

credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

(12) ALABAMA BICENTENNIAL COMMISSION:

For salaries and expenses 30,000.00

The above appropriation is payable out of the funds to the credit of the Alabama Bicentennial Commission Fund and shall also include the appropriation in Item III A (19).

(13) STATE BOARD OF CHIROPRACTIC EXAMINERS:

For salaries 3,000.00

For other expenses 7,700.00

Total 10,700.00

The above appropriation shall be paid out of the State Board of Chiropractic Examiners Fund as provided in Act No. 108, 1959 Regular Session.

(14) CONSERVATION DEPARTMENT:

(a) Administrative Division:

For salary of the Director. 22,728.94

For other salaries 498,079.90

For other expenses 312,172.00

For equipment purchases. 8,000.00

For transfer to Personnel Department 17,010.00

For transfer to telephone revolving Fund 7,560.00

865,550.84

The above appropriations shall be paid out of the Department of Conservation—Administrative Fund and includes the appropriations made to this Division as provided in this section.

(In addition to the monies hereinabove appropriated to the Administrative Division there is hereby conditionally appropriated to the Administrative Division conditioned upon the passage of legislation increasing vessel registration fees.)

For other salaries and expenses 60,000.00

(b) Game and Fish Division:

For salaries 2,953,643.00

For other expenses 1,384,363.00

For equipment purchases. 198,000.00

For automotive equipment purchases 232,140.00

For transfer to Conservation Department—Administrative Account. 339,505.81

For transfer to Telephone Revolving Fund 7,380.00

Total.....		5,115,031.81
The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.		
(c) State Lands Division:		
1. For salaries	85,000.00	
For other expenses	30,000.00	
For equipment purchases	5,000.00	
For transfer to Conservation Department—Administrative Account	14,000.00	134,000.00
The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund.		
2. In addition to the above appropriation, there is also hereby appropriated from the State Lands Division Fund to the Lands Division for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas ..		125,000.00
(d) Marine Police Division:		
For salaries	646,051.00	
For other expenses	274,000.00	
For equipment purchases.	90,000.00	
For automotive equipment purchases	70,000.00	
For transfer to Conservation Department—Administrative Account.	126,101.00	
Total.....		1,206,152.00
The funds hereinabove are appropriated to the Marine Police Division of Marine Police Fund.		
In addition to the monies hereinabove appropriated there is hereby conditionally appropriated from the Marine Police Fund to the Marine Police Division conditioned upon the passage of legislation to increase vessel registration fees.		
For salaries	80,200.00	
For other expenses	53,100.00	
For equipment purchases.	64,000.00	
For automotive equipment purchases	27,900.00	
For transfer to Conservation Department—Administrative Account ...	60,000.00	
Capital Outlay		
For access areas	270,500.00	
For aids to navigation ...	45,000.00	

Total.....		600,700.00
(e) Marine Resources Division:		
For salaries	365,000.00	
For other expenses	165,000.00	
For equipment purchases.	15,000.00	
For automotive equipment purchases	15,000.00	
For transfer to Conservation Department-Administrative Account ...	55,000.00	
For Gulf State Marine Fisheries Commission ...	5,000.00	
Total.....		620,000.00
In addition to the monies hereinabove appropriated, all monies derived from contracts, grants, or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated to the Division of Marine Resources and may be expended by the Director of Conservation on such Marine Resources Division Programs or projects which he deems appropriate. The funds hereinabove appropriated to the Marine Resources Division shall be paid out of the Marine Resources Fund.		
In addition to the monies hereinabove appropriated there is hereby conditionally appropriated from the Marine Resources Fund to the Marine Resources Division conditioned upon the passage of legislation providing for a saltwater sport fishing license.		
Capital Outlay		
For access areas	75,000.00	
For artificial reefs.....	20,000.00	
Total.....		95,000.00
(f) State Parks Division:		
For salaries, other expenses, equipment purchases, automotive equipment purchases, capital outlay and for transfer to Conservation-Administrative Account, Estimated		1,086,000.00
(Provided, however, of the amount appropriated hereinabove no less than \$100,000.00 shall be expended for operation and maintenance of Tannehill State Park.)		
The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund. The funds hereinabove appropriated shall		

include the appropriations made in Item III A (25) in this Act.

(15) STATE LICENSING
BOARD FOR GENERAL
CONTRACTORS:

For salaries	77,000.00	
For other expenses	42,000.00	
For equipment purchases. . .	7,800.00	
Total		126,800.00

In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriations are payable out of the funds in the State Treasury to the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

(16) BOARD OF CORRECTIONS:

For the salary of the Commissioner.	23,866.00	
For other salaries	5,803,655.00	
For other expenses	3,300,000.00	
For equipment purchases. . .	150,000.00	
For automotive equipment purchases	100,000.00	
For Debt Service, estimated .	60,000.00	
For transfer to the State Personnel Department.	21,560.00	9,459,081.00

The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III A(26) of this Act. Provided, however, the Commissioner of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Board of Corrections. Any such grant funds so generated and in direct support of the Board of Corrections operations are also hereby appropriated.

(17) ALABAMA BOARD OF COSMETOLOGY:

For salaries	96,941.00	
For other expenses	85,000.00	
For equipment purchases. . .	5,000.00	
For construction of building .	75,000.00	261,941.00

The above appropriations shall be payable from the funds in the State Treasury to the credit of the Alabama Board of Cosmetology pursuant to provisions of Act No. 653, 1957 Regular Session.

(18) DAIRY COMMISSION:

For salaries	177,570.00	
For other expenses	100,000.00	
For cost study	20,000.00	
For equipment purchases.	1,500.00	299,070.00

The above appropriations shall be paid out of the Dairy Commission Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

(19) ALABAMA DEVELOPMENT OFFICE:

For salaries, other expenses, equipment purchases, automotive equipment purchases, national advertising and industrial promotion and contracts, estimated	2,561,000.00
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The above appropriations shall be paid from Alabama Development Office Fund and shall include appropriations made in Item III A (31) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Development Office from whatever source are hereby appropriated.

(20) ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department	3,640.00
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The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

(21) STATE BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS:

For salaries	60,400.00	
For other expenses	45,000.00	
For investigations and court costs	15,000.00	
For equipment purchases.	500.00	120,900.00
Total		

The above appropriations are payable out of funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

(22) ALABAMA ETHICS COMMISSION:

For operations of the Alabama Ethics Commission, estimated	136,000.00
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The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama Ethics Commission and

shall include the appropriation herein made in Item III A (37) of this Act.

(23) FARMERS MARKET AUTHORITY:

For salaries	31,559.00	
For other expenses	13,841.00	
Total		45,400.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Farmers Market Authority and shall include the appropriation herein made in Item III A (39) of this Act.

(24) DEPARTMENT OF FINANCE:

Data Systems Management:		
For operations of Data Systems Management		150,000.00

The above appropriations shall be paid from the Data Systems Management Fund and shall include the appropriation herein made in Item III A (41) (e) of this Act.

(25) FIRE MARSHALL FUND:

For salaries	100,000.00	
For other expenses	85,000.00	
For equipment purchases	2,500.00	
Total		187,500.00

The above appropriations shall be paid from the Fire Marshall fund as provided in Act 1938, 1971 Regular Session.

(26) STATE FORESTRY COMMISSION:

For salaries	3,800,000.00	
For other expenses	902,065.00	
For equipment purchases	150,000.00	
For automotive equipment purchases	73,755.00	
For transfer to State Personnel Department	12,180.00	
For transfer to Tel. Revolving Fd.	19,440.00	
		4,957,440.00

The funds hereinabove appropriated to the Forestry Commission shall be paid out of the Forestry Fund and the appropriations made to the said fund as provided in Item III A (43) of this Act. It is provided that in the event receipts into the Forestry Fund from County appropriations exceed the sum of \$500,000.00, then such excess is hereby appropriated. It is further provided that in the event receipts into the Forestry Fund from Federal Funds exceed the sum of \$793,000.00, then such excess is hereby appropriated. In the event of an emergency, so determined by the Director of the Forestry Commission and the Governor, the Director of the Forestry Commission with the approval of the

Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Forestry Commission.

(27) STATE BOARD OF REGISTRATION FOR FORESTERS:

For other expenses	7,305.00	
For equipment purchases.	<u>700.00</u>	8,005.00

Total

The above appropriations are payable out of the funds in the State Treasury to the credit of the Professional Foresters' Fund.

(28) LICENSING BOARD FOR THE HEALING ARTS:

For salaries	46,318.00	
For other expenses	14,250.00	
For equipment purchases.	<u>15,000.00</u>	75,568.00

Total

The above appropriations are payable out of the funds in the State Treasury to the credit of the Licensing Board for the Healing Arts.

(29) HEALTH DEPARTMENT:

(a) Health Department:

For salaries, other expenses, equipment purchases and transfers for County Health Work, estimated	1,656,785.00
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The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act. No. 654, 1965 Regular Session.

(b) Health Department:

For salaries, other expenses, equipment purchases, and transfers for County Health Work, estimated	2,121,300.00
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The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 275 1967 Regular Session.

(c) County Health Work:

For salaries, other expenses, and equipment purchases, estimated	2,869,000.00
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The above appropriations are payable from any funds transferred to this account in Item III A (52) (a) and funds transferred in Item III C (29) (a) and Item III C (29) (b) in this Act. In addition to the above appropriation, and funds received for this work from the several counties or the Federal Government are hereby appropriated.

- (d) **Ambulance Operators (Emergency Medical Services)**
 For salaries, other expenses and equipment purchases, estimated. 55,650.00
 The above appropriations are payable from the funds in the Emergency Medical Services Fund as provided in Act No. 1590, 1971 Regular Session and shall include any funds transferred to this account in Item III A (52) (a) of this Act.
- (e) **Hearing Aid:**
 For salaries 2,867.00
 For other expenses 9,150.00
 For equipment purchases. 600.00
 Total. 12,617.00
 The above appropriations are payable from the funds in the Hearing Aid Fund as provided in Act No. 2425, 1971 Regular Session.
- (f) **Hospital Licensing:**
 For salaries and other expenses, estimated. 37,500.00
 The above appropriations are payable from funds in the Hospital Licensing Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated and the appropriation hereinabove made shall include any funds transferred in Item III A (52) (a) in this Act.
- (g) **Indigent Care:**
 For salaries and for distribution to counties, estimated. 337,442.00
 The above appropriations are payable from any funds transferred to this account in Item III A (52) (a) of this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.
- (h) **Medicaid:**
 For the operation of the Medicaid Program. 50,273,500.00
 The above appropriations are payable from the funds transferred to this account in Item III A (52) (b) of this Act. In addition to the above appropriations, any and all funds received to the credit of the Medicaid Program from whatever source including all funds received from the Federal Government are hereby appropriated.
 (Provided no more than 10% override of

- ¼ of budget can be spent in the first quarter, 5% override in the second quarter. Budget must be balanced third and fourth quarters. Funds can be carried over from quarter to quarter and no funds will lapse if not spent in any quarter.)
- (i) Bureau of Vital Statistics:
For salaries, other expenses and equipment purchases, estimated. 410,000.00
The above appropriations are payable from the funds in the Vital Statistics Fund and shall include any funds transferred to this account in Item III A (52) (a) of this Act.
- (j) Water Plant Operators Certifications:
For expenses and equipment purchases. 4,250.00
The above appropriations are payable from the funds in the Water Plant Operators Certifications Fund as provided in Act No. 1594, 1971 Regular Session.
- (k) Water Well Standards Board, Alabama:
For salaries, other expenses and equipment purchases 48,933.00
The above appropriations are payable from the Water Well Standards Board Fund as provided in Act No. 1516, 1971 Regular Session.
- (30) THE OFFICE OF HIGHWAY AND TRAFFIC SAFETY:
For salaries, other expenses, and equipment purchases. 75,000.00
The above appropriations are payable from the funds transferred to this account in Item III A (54) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.
- (31) ALABAMA HISTORICAL COMMISSION:
For operations of the Alabama Historical Commission 144,720.00
The above appropriations shall be paid from the Alabama Historical Commission Fund transferred to this account in Item III A (55) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Historical Commission from whatever source are hereby appropriated.
- (32) DEPARTMENT OF INDUSTRIAL RELATIONS:

For the salary of the Director, estimated . . .	22,694.00	
For transfer to the State Personnel Department	35,420.00	
For transfer to Telephone Revolving Fund . .	159,536.00	
For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation, and for such other funds, services and operations for which the United States Government may provide monies; there is hereby appropriated. In addition to the amounts appropriated herein in Item III A (58) all such sums as the United States Government may make available therefor.		
(33) STATE INSURANCE FUND:		
For salaries	161,470.00	
For other expenses	53,331.00	
For equipment purchases . . .	3,000.00	
For automotive equipment purchases	5,000.00	
Total		222,801.00
The above appropriations are payable from the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Tital 28, Section 325, Code of Alabama 1940.		
(34) LAW ENFORCEMENT FUND		10,000.00
The above appropriations shall be paid from the proceeds deposited to the credit of the Law Enforcement Fund pursuant to Title 29, Section 251, Code of Alabama 1940, as amended, and the expenditures authorized from such funds are limited to the amount appropriated herein.		
(35) LIQUEFIED PETROLEUM GAS BOARD:		
For salary of Director, estimated	18,018.00	
For other salaries	35,582.00	
For other expenses	17,000.00	
For equipment purchases . . .	1,000.00	
Total		71,600.00
The above appropriations shall be paid from receipts paid into the Liquefied Petroleum Gas Fund.		
(36) BOARD OF NURSES' EXAMINERS AND REGISTRATION:		
For salaries	123,270.00	
For other expenses	95,000.00	
For equipment purchases . . .	2,500.00	
For automotive equipment purchases	4,000.00	
Total		224,770.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

(37) BOARD OF NURSING HOME ADMINISTRATION:

For expenses incident to the operation and maintenance of the Board of Nursing Home Administration, estimated

23,600.00

The above appropriations shall be paid from receipts paid into the Board of Nursing Home Administration Fund.

(38) PEACE OFFICERS ANNUITY AND BENEFIT FUND, ALABAMA:

For salaries 81,321.00

For other expenses 39,200.00

For equipment purchases 3,000.00

Total

123,521.00

The above appropriations shall be paid from the Peace Officers Annuity and Benefit Fund as provided in Act No. 1210, 1971 Regular Session.

(39) PENSIONS:

(a) For Confederate Veterans and their widows:

Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows. The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, Code of Alabama 1940.

(40) DEPARTMENT OF PENSIONS AND SECURITY:

For the salary of the Commissioner, estimated

22,694.00

For transfer to the State Personnel Department

106,120.00

For transfer to Tele. Revolving Fund

126,496.00

For other salaries, expenses, equipment purchases and automotive equipment purchases incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated. In addition to the amounts set out in Item III A (73), all Federal, State, County and Municipal Funds made available therefor.

(41) PERSONNEL DEPARTMENT:

For the salary of the Director, estimated

22,605.25

For other salaries	440,000.00
For other expenses	145,244.75
For equipment purchases . . .	<u>17,150.00</u>

Total	625,000.00
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The above appropriations shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

(42) BOARD OF EXAMINERS OF PSYCHOLOGY:

For salaries, other expenses, and equipment purchases, estimated	2,640.00
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The above appropriations shall be paid from the receipts paid into the Board of Examiners of Psychology Fund and shall include the appropriation made in Item III A (79) of this Act.

(43) BUREAU OF PUBLICITY AND INFORMATION:

For salaries	85,070.00
For other expenses	79,600.00
For equipment purchases . . .	4,000.00
For automotive equipment purchases	5,000.00
For advertising	<u>650,000.00</u>

Total	823,670.00
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The above appropriations shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

(44) PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258 and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

(45) PUBLIC SERVICE COMMISSION:

For salary of the President and Two Associate Commissioners	62,085.00
For other salaries	1,100,000.00
For other expenses	329,000.00
For equipment purchases . . .	20,000.00
For automotive equipment purchases	<u>30,000.00</u>

For transfer to telephone		
Rev. Fd.....	16,740.00	1,557,825.00

The above appropriations to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission at the end of the fiscal year in excess of \$300,000.00 shall be transferred to the State General Fund.

(46) ALABAMA REAL ESTATE COMMISSION:

For salaries.....	125,000.00	
For other expenses.....	75,000.00	
For equipment purchases....	10,000.00	
Total		210,000.00

The above appropriations shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, Code of Alabama 1940, as amended, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(47) DEPARTMENT OF REVENUE:

Auto Title and Auto Theft Fund:
For expenses incident to the operations of the Auto Title and Auto Theft Act, estimated 500,000.00

The above appropriation shall be paid from funds in the State Treasury to the credit of the Auto Title and Auto Theft Fund and shall include the appropriation made in Item III A (86) (b).

(48) DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item III A (86) (a) of this Act 1,201,096.54

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Financial Institution Excise Tax Collections as part of the cost of operating said Department. 124,416.37

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Forest Severance Tax Collections as part of the cost of operating said Department . . 126,809.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Gasoline Tax Collections as part of the cost of operating said Department	832,632.66
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Income Tax Collections for the cost of collecting said tax	2,765,871.71
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Motor Fuel Tax Collections as part of the cost of operating said Department	480,917.14
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Motor Vehicle License Collections as part of the cost of operating said Department	486,898.70
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax	148,342.60
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax	367,267.57
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Sales Tax Collections as part of the cost of operating said Department	3,848,533.43
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Tobacco Tax Collections as part of the cost of operating said Department	793,154.39
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Utility Tax Collections as provided in Act No. 37, 1969 Special Session	247,636.44
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Use Tax Collections as part of the cost of operating said Department	379,230.68
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Cigarette Tax Collections Act 275, 1967 Regular Session as part of the cost of operating said Department	160,305.71
There is hereby appropriated for transfer to Revenue Department, Administrative	

Account from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags .		1,552,500.00
(49) DEPARTMENT OF REVENUE-ADMINISTRATIVE ACCOUNT:		
For salary of Commissioner . . .	22,728.94	
For other salaries	7,958,254.00	
For other expenses, estimated . . .	2,497,600.00	
For equipment purchases	30,000.00	
For automotive equipment purchases	22,000.00	
For transfer to State Personnel Department	24,780.00	
For transfer to Telephone Revolving Fund	29,160.00	
Total		10,584,522.94
The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount, hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.		
(50) STATE BOARD OF REGISTRATION FOR SANITARIANS:		
For salaries	1,200.00	
For other expenses	1,900.00	
Total		3,100.00
The above appropriations shall be paid from the receipts collected under the provisions of Act No. 209, 1964 Second Special Session.		
The appropriations hereinabove made shall be paid from the funds transferred from the Alcoholic Beverage Control Board to the Education Department.		
(52) ALABAMA THERAPIST BOARD:		
For expenses	6,700.00	
For equipment purchases	200.00	
Total		6,900.00
The above appropriations shall be paid from receipts paid into the Alabama Therapist Board Fund.		
(53) STATE BOARD OF VETERINARY MEDICAL EXAMINERS:		
For salaries	100.00	
For other expenses	11,500.00	
For equipment purchases	400.00	
Total		12,000.00

The above appropriations are payable from the funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

(54) UNIVERSITY OF ALABAMA — BIRMINGHAM-MEDICAL CENTER:

For constructing, operating and maintaining a school or college of Optometry, estimated 15,000.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Optometry Trust Fund.

(55)(1) BOARD OF TRUSTEES OF UNIVERSITY OF ALABAMA:

(a) For the University of Alabama in Birmingham, for salaries, stipends and scholarships in Psychiatry; for the training of professional Mental Health personnel and psychiatric nurses, and state indigent mental patients..... 2,200,000.00

(b) Center for Learning disorders for Mental Retardation 100,000.00

(2) TO STATE MENTAL HEALTH DEPARTMENT:

(a) For operation and maintenance of the State Mental Health Department including the purchase of drugs to medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals..... 32,122,872.46

Conditional upon the condition of the fund and upon the approval of the Governor..... 3,900,000.00

(b) For operation and maintenance of Community Mental Health Programs 6,650,000.00

(3) For payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment CXLI 200,910.20

(The appropriations hereinabove made in Items 1, 2, 3 shall be paid from the funds deposited in the State Treasury to the credit of the Special Mental Health Fund.)

(4) STATE DEPARTMENT OF MENTAL HEALTH:

For transfer to the State Personnel Department..... 151,410.00

For transfer to Telephone Revolving Fund.....	186,440.00
For support, maintenance and capital expenditures the several sums appropriated in Item 4 of sub-section (55) and the amounts provided in Act No. 654, 1965 Regular Session and Act No. 275, 1967 Regular Session and the Education Appropriation Bill are hereby appropriated. Expenditures to be made at the direction of the Alabama Mental Health Board.	

(56) HIGHWAY DEPARTMENT:

- (1) There is hereby appropriated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highway and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, or Alabama Highway Finance Corporation, so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment.
- (2) There are also appropriated, out of the revenues accruing to the State Highway Department, the following sums for the following purposes:
 - (a) For transfer to the State Personnel Department 139,580.00
 - (b) For the administration of the State Highway Department for salaries and other expenses..... 5,600,000.00
 - (c) For operation of the State Highway Department, for salaries and other expenses 505,000.00
 - (d) For supervision of the State Highway Department, for salaries and other expenses 9,563,000.00
 - (e) For equipment purchases, Road Machinery and Equipment 7,000,000.00
 - (f) For Equipment Purchases—Other Equipment 500,000.00
 - (g) For the maintenance of roads and bridges in the State Highway System, for salaries and other expenses 31,334,991.50
 - (h) For the purchase or construction of land and building for the operation of the Highway Department 1,500,000.00
 - (i) For the maintenance of roads and bridges in the State Highway

- | | |
|---|--------------|
| System, for salaries and other expenses, conditional upon the release of any of the conditional appropriations contained in Section 2, III, A (113) of this Act . . | 3,000,000.00 |
| (j) To establish a Revolving Fund for Inventories, Manufacturing, and clearing accounts | 4,500,000.00 |
| (k) For transfer to the Telephone Revolving Fund. | 112,808.00 |
- (3) There are also appropriated, out of the proceeds from the sale of bonds that may hereafter be issued for public highway and bridge purposes, or either, by the State of Alabama or by Alabama Highway Authority of the revenues accruing to the State Highway Department, the following sums for the following purposes:
- | | |
|---|---------------|
| (a) For matching Federal Funds | 39,000,000.00 |
| (b) For construction of feeder roads and other portions of, or work in respect to, Federal Aid Projects for which portions or work Federal Matching Funds are not available | 3,000,000.00 |
| (c) For construction of roads and bridges for which no matching funds are available | 7,995,037.50 |
- The Highway Director with the consent of the Governor and the Budget Officer shall have the authority to transfer any appropriation or any portion thereof between and among sub-sections (a), (b), (c) of this section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available.
- (4) In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable:
- (a) In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:
- (1) the appropriations made in Section 1 hereof shall be paid in full:
 - (2) the appropriations made in Section 2 hereof shall be paid in full:

- (3) the appropriations from the revenues accruing to the Highway Department that are herein made for the purposes referred to in Section 3 hereof shall be allocated among the purposes referred to in the said Section 3 in such order and with such priorities as the State Highway Director shall from time to time direct; and
- (5) The funds appropriated in Section 3 hereof, for the matching of Federal funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purposes for which such appropriation was made.
- (6) In addition to the appropriations hereinabove made there is hereby appropriated to the State Highway Department the funds accruing thereto from the so-called "Captive Counties" for road and bridge construction and maintenance, and for salaries, other expenses, equipment purchases, and automotive equipment purchases related thereto to be expended only for the benefit of the particular county or counties from which such revenues are derived.
- (7) In addition to all appropriations hereinabove made, there is hereby appropriated to the State Highway Department all Federal funds accruing thereto to be expended only for the purposes for which such funds are made available.
- (8) Not later than ninety (90) days following the end of each fiscal year for which appropriations are made herein, the State Highway Director shall transmit to the Governor, the Lieutenant Governor, and each member of the Legislature, a report stating the portions of each appropriation made herein that have been spent in each county in the State during the fiscal year then ended.

(57) ALABAMA SPECIAL EDUCATIONAL TRUST FUND:

There are also appropriated, out of the revenues accruing to the Alabama Special Educational Trust Fund the following sums for the following purposes:

(1) UNIVERSITY OF ALABAMA — UNIVERSITY HOSPITAL & CLINICS:

For operation and maintenance 2,000,000.00

(Provided that insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama to underwrite health and accident insurance, are hereby prohibited from applying or taking into account in any manner whatsoever any portion of this appropriation in determining reimbursement to University Hospital and Clinics for patient care services.)

(2) UNIVERSITY OF SOUTH ALABAMA—UNIVERSITY MEDICAL CENTER:

For operation and maintenance 500,000.00

(Provided that insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama to underwrite health and accident insurance, are hereby prohibited from applying or taking into account in any manner whatsoever any portion of this appropriation in determining reimbursement to University Medical Center for patient care services.)

(3) For transfer to State Department of Mental Health to be expended by the State Department of Mental Health to educate, train and rehabilitate persons under the care and control of the State Department of Mental Health who have emotional and psychological problems or mental deficiencies requiring such special education, training and rehabilitation at Partlow State School and Hospital and other institutions where such persons reside 19,000,000.00

(4) For Transfer to the State General Fund 8,957,000.00

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department,

bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, that amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for those appropriations designated as "estimated", and all appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. There is hereby appropriated the following amounts which are anticipated to be received by the State of Alabama during the period October 1, 1975, through September 30, 1976, as grants or entitlements under the State and Local Fiscal Assistance Act of 1972, Public Law 92-512, 92nd Congress, 1972.

A. Parks:	
For operation and maintenance of the Parks System.....	2,250,000.00
B. Mental Health.....	8,000,000.00
C. Transportation.....	15,000,000.00
D. Board of Corrections:	
For operations.....	5,000,000.00
E. Economic and Community Development.....	1,500,000.00
F. General Government.....	2,205,972.00

The appropriations made in this sub-section shall not revert or lapse but shall remain available for the purposes for which the appropriations were made.

In the event that the amount of funds actually received is greater than the anticipated grants or entitlements under the State and Local Fiscal Assistance Act of 1972, the Governor may direct the excess over the anticipated entitlement in such order and with such priorities as he deems proper.

In the event that the amount of funds actually received is less than the anticipated grants or entitlements under the State and Local Fiscal Assistance Act of 1972, the Governor may direct such reductions in amounts herein appropriated as he deems proper.

Any unappropriated balances from the previous fiscal years or interest heretofore or hereafter earned from investments of funds received as grants or entitlement under the State and Local Fiscal Assistance Act of 1972, are hereby appropriated for such purpose or purposes as the Governor deems necessary.

Section 8. No funds appropriated herein may be expended for rent, leases, contracts, or purchases of data processing equipment or services or for rent for any office space on any contract, lease, purchase, or agreement made prior to September 30, 1975 for such items, unless approved or re-approved on or after October 1, 1975, by the Division of Data System Management and the Director of Finance.

Section 9. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 10. That all laws and parts of laws, general, special, private, or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 11. That this Act shall become effective October 1, 1975.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. Owen, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 490, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 24; Nays 10.

Yeas:

Messrs. Adams, Bank, Edwards, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—24

Nays:

Messrs. Baker, Clemon, Ellis, Fine, Flippo, King, McDonald (A), Pearson, Powell, Waldrop.

—10

Mr. Wilson moved that the Senate reconsider the vote by which it concurred in the Conference Committee Report on the Bill, H. B. 490, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

FURTHER CONSIDERATION OF H. B. 489

The Senate proceeded to further consideration of the Bill, H. B. 489, as amended. The question was on the amendment offered by Mr. Shelby.

And said amendment was then adopted by the Senate.

Yeas 27; Nays 2.

Yeas:

Messrs. Adams, Bank, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—27

Nays: Messrs. Baker, Owen.

—2

Mr. Stewart offered the following amendment to the Bill, H. B. 489, as amended, to-wit:

AMENDMENT TO H. B. 489, AS AMENDED

On page 8, lines 6-12, strike subsection (b) in its entirety and insert in lieu thereof the following:

(b) It is provided that from the appropriation hereinabove made the State Board of Education shall allocate and pay from said appropriation not less than four hundred (500) additional teacher units for the program for exceptional children over and above the current allocation. It is also provided that fifty-five (55) teacher units be transferred from Act 67, approved June 27, 1963. Twenty-five (25) of the teacher units appropriated may be used in early education programs for exceptional children and twenty-five (25) teacher units may be used in regional multisystem, and/or state-wide programs for exceptional children.

Further amend said bill by deleting on page 8, line 15, the following figure "700" and inserting in lieu thereof "500".

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mitchell, Noonan, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Vacca, Waldrop.

—23

Nays:

—0

Mr. Stewart then offered the following amendment to the Bill, H. B. 489, as amended, to-wit:

AMENDMENT TO H. B. 489 AS AMENDED

On page 11 strike Item S in its entirety and insert in lieu thereof the following:

R. Minimum Program Account:		
Trainable Retarded Children:		
For salaries	135,000.00	
For other expenses	191,812.00	
For other equipment purchase . . .	100,000.00	
For Special Education.	160,000.00	
For Diagnostic and Evaluation . .	500,000.00	
Services		
For teacher Aides for		
Exceptional Children	420,000.00	
Total		1,506,812

The appropriation hereinabove made for salaries and other expenses shall be expended by the State Board of Education for the cost incurred by the State Department of Education in the administration of this program. The appropriation for Special Education is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.

Which was adopted.

Yeas 24; Nays 2.

Yeas:

Messrs. Adams, Bank, Edwards, Fine, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop.

—24

Nay: Messrs. Baker, Owen.

—2

Mr. Owen offered the following amendment to the Bill, H. B. 489, as amended, to-wit:

AMENDMENT TO H. B. NO. 489, AS AMENDED

Amend House Bill No. 489, as amended, on page 25 by adding the following to Section 47: "No funds may be expended from this

appropriation on education programs at Athens College until the Alabama Commission on Higher Education or the Alabama Legislature has approved such programs and find that such programs will not unduly duplicate similar programs at the University of Alabama in Huntsville, Alabama A & M, or the University of North Alabama."

Further amend House Bill No. 489, as amended, Page 24 Line 40, by striking out section 40.

Further Amend House Bill No. 489, as amended, Page 24 Line 39, by striking out Section 39.

Further Amend House Bill No. 489, as amended, Page 15 Line 3, by striking out Jones Law School, Montgomery \$125,000.00.

Further Amend House Bill No. 489, as amended, Page 26 by inserting Section 54 and renumbering accordingly:

Section 54. Attalla City Board of Education—For Capital Outlay—\$200,000.00.

Further Amend House Bill No. 489, as amended, Page 13 Line 28, by inserting in Section 3, subsection BB after the word "1974-75." the following:

All non-professional personnel shall receive an increase in salary of not less than twelve and seven hundredths percentum (12.07%).

Further Amend House Bill No. 489, as amended, Page 5 Line 30, by inserting in Section 3, Subsection P after the word "1974-1975." The following: All non-professional personnel shall receive an increase in salary of not less than twelve and seven-hundredths per centum (12.07%).

Further Amend House Bill No. 489, as amended, Page 25 Line 32, by inserting Section 51 and renumbering accordingly:

Section 51. Etowah County Board of Education: For the construction of an elementary, middle, or high school in the Rainbow City-Southside District—\$400,000.

Further Amend House Bill No. 489, as amended, Page 26 Line 1, by inserting Section 52 and renumbering accordingly:

Section 52. Cherokee County Board of Education—For construction of a new elementary school—\$250,000.

Further Amend House Bill No. 489, as amended, Page 26 Line __, by inserting Section 52 and renumbering accordingly:

Section 53. Gardendale City Board of Education For Capital Outlay—\$300,000.00.

Further amend House Bill No. 489, as amended, Section 3, Sub-Section (K), by striking the Sub-Section a in its entirety and inserting in lieu thereof the following:

K. Department of Education:

For salary of the State Superintendent
(Estimated)

40,000.00

For other salaries

1,256,922.00

For other expenses	190,000.00
For rental expenses	475,000.00
For equipment purchases	20,000.00
For transfer to State Personnel Dept.	30,800.00
Total	2,012,792.00

Further amend H. B. 489, as amended, on page 5, Section 3, Subsection P. by inserting the following after line number 33: "No funds appropriated in this Subsection shall be expended for new campuses, branches, or centers or for new degree or certification programs without such new campuses, branches or centers or new degree or certification programs first being approved by the Alabama Commission on Higher Education or the Alabama Legislature. This requirement shall not affect the appropriation in this Act for George C. Wallace Technical Community College."

Further amend H. B. 489, as amended, by adding a new Sub-Section under Section 3, on Page 15: "For the administration of the 1202 State Planning Commission organized pursuant to Title XII of the Federal Higher Education Act of 1972 (PL 92-318) and Governor's Executive Order No. 50 dated April 1, 1974. It is here specified that no other funds appropriated under this act shall be expended, directly, or indirectly, for the Commission and that no federal funds received by the State of Alabama, except those specifically designated for the Commission, shall be used in the Commissions activities." \$1,000.00

Further amend House Bill 489 on Pages 19, 20, Section 11 by deleting Section thereof and adding in lieu thereof the following:

**SECTION BOARD OF TRUSTEES OF TROY
STATE UNIVERSITY:**

(a) For operation and maintenance.	5,459,000.00
(b) For operation and maintenance of Troy State University at Montgomery.	165,000.00
(c) For operation and maintenance of Troy state University at Fort Rucker-Dothan.	165,000.00
(d) For School of Nursing—Scholarships. (To be expended in accordance with Act. No. 2292, 1971 Regular Session.)	36,000.00
(e) Public Service Research and Extension	200,000.00

Further amend House Bill Number 489 as amended on page 23 following line 39 by inserting the following:

It is provided that beginning with the fiscal year 1975-76 that in addition to the salary now received, and all other salary increments due, all teachers employed by the Youth Services Board other than vocational teachers shall receive a salary increase as follows: AA teachers not less than sixteen hundred forty-three dollars (\$1643) per annum; Rank I

teachers not less than one thousand five hundred forty-seven dollars (\$1,547) per annum; Rank II teachers not less than one thousand three hundred thirty-three dollars (\$1,333) per annum; Rank III teachers not less than one thousand three hundred thirty-three dollars (\$1,333) per annum; Rank IV teachers not less than one thousand three hundred thirty-three dollars (\$1,333) per annum. Vocational teachers shall receive a salary increase of not less than twelve and seven one-hundredths per centum (12.07%) of the state vocational teacher salary schedule in addition to all other salary increments due. The above amounts are for educators under twelve-month contracts. If an educator's contract is for less than twelve months, he shall receive the prorata amount for the months employed. If the Youth Services Board fails to comply herewith it shall not be entitled to receive any funds from the Alabama Special Educational Trust Fund.

Further amend House Bill 489 as amended by striking therefrom in Section 6 thereof the words and figures "For operation and maintenance . . . 7,262,000.00" and inserting in lieu thereof the words and figures "For operation and maintenance . . . 7,662,000.00".

Also amend H. B. 489 as amended by deleting Section 3 K (d) in its entirety, where it appears on lines 9 and 10 of page 4 of said bill and inserting in lieu thereof the following:

"(d) Public Kindergarten Pilot Program \$400,000.00"

Further amend House Bill No. 489, as amended, by deleting therefrom Section 12, Page 20 as follows:

And inserting in lieu thereof the following:

Section 12. BOARD OF TRUSTEES OF ALABAMA INSTITUTE FOR DEAF AND BLIND:

(a) For operation and maintenance	2,937,325.00
(b) For salaries and expenses incident to instruction of Adult Blind and Deaf and for operation of the Trade School at the Institute	1,255,139.69
(c) Department of Adult Blind and Deaf Vocational Education	60,000.00

Further amend H. B. 489, as amended, as follows:

In Section 3, on page 15, insert after line 11, at the end of the section and as a part of said Section, the following subsection, designated FF or such other appropriate designation, as to keep it in its proper place:

FF. State Department of Education: For the purchase of a verbo-tonal machine	7,500.00
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Further amend House Bill 489, as amended, by adding immediately following Section 48, line 23, on page 25 of the bill the following:

Lowndes County Board of Education:

For Replacing the Burned School at Hayneville, Alabama	300,000.00
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and re-number the remaining sections.

Further amend House Bill 489 as amended by adding immediately following Section 49, line 24, on page 25 of the bill the following:

For Alexander City State Junior College:

For the operation of a Penal
Education Program 125,000.00

and renumber the remaining section.

Immediately before the severability section, which in this substitute, as introduced, was numbered "Section 52", but which because of amendments heretofore adopted has been renumbered several times, insert the following new section, giving it the proper section number to make it the third from the last section in the bill, and renumber the two sections following this section:

Section _____. Whenever the amount hereinabove appropriated to any institution of higher learning includes funds to be used for anticipated salary raises or adjustments for professional personnel for the whole fiscal year for which appropriations are hereby made, such salary raise or adjustment shall be deemed to become effective on the first day of the fiscal year and beginning from such date shall be payable out of funds herein appropriated.

Further amend House Bill 489, as amended, as follows:

On Page 9, line 31 after the sentence ending with the word "fund" insert the following:

"It is the intent of the Legislature that these appropriations from the Minimum Program Fund for the fiscal year ending September 30, 1976, shall be allocated by the respective local boards of education for teachers in the respective local systems which local boards shall determine to be deserving, based upon the following considerations: Rank and certificate held by each such teacher; additional education in addition to the degree held; in-service training; and other criteria as may be established by the local board."

Further amend House Bill 489, as amended, on page 22 deleting Section 22 in its entirety and inserting in lieu thereof the following:

"Section 22. Alabama Public Library Service: for salaries, books, and other expenses \$278,000.

State aid for all public libraries and library systems \$650,000".

Further amend House Bill 489, as amended, as follows:

On page 9, line 14 after the word "graduation" change the period to a comma and insert the following:

"except driver education and physical education."

Add a new Section 51 as follows immediately after Section 50, and renumber the remaining sections of the bill accordingly

Section 51. Huntsville Public Library: For construction of a subcarrier broadcast service to print-handicapped persons \$25,000.00.

Further amend H. B. 489 as amended on p. 5 line 33 Section 3, P. Junior College Equalization account by adding the following:

"Of the amount appropriated above the sum of two hundred sixteen dollars (\$216.00) per annum per teacher and administrator is allocated to provide hospital-medical insurance."

Further amend the bill on p. 13 line 33 Section 3 BB State Vocational Technical School Equalization account by adding the same wording as above.

Further amend House Bill 489, as amended, Page 18 Line 33, by striking out \$110,000.00 and inserting in lieu thereof \$200,000.00.

Further amend House Bill No. 489 as amended Page 25 Line 24, by inserting a new Section 48A as follows:

Section 48A. DeKalb County Board of Education for Gymnasium at Adamsburg School \$75,000 and for new classroom building at Kilpatrick School \$290,000 for a total appropriation of \$365,000.

Further amend House Bill No. 489, as amended, Page 12 Line 18, by inserting at the end of Paragraph X the following line, as follows:

For Capital Outlay \$1,000.00.

Further amend House Bill No. 489, as amended, Page 2 Line 19, by inserting a new line at the end of paragraph B as follows:

For improving the campus grounds and for Capital Outlay \$1,000.00.

Further amend House Bill 489 as amended, Section 3, Sub-section b on page 8. line 12, by adding the following after the period:

All special education units other than the early childhood and multisystem units shall be allocated to local school systems on the basis of net enrollment. Units earned by a system on this basis which are not used by such system are to be reallocated to other systems, first as they are necessary to guarantee school systems not less than the number of units allocated to them during the 1974-75 school year, and secondly on the basis of net enrollment.

Further amend H. B. 489, as amended, by adding the following section:

"Section _____. Notwithstanding the other provisions of this bill, 3 million dollars is hereby appropriated for the operation of Alabama State University and Alabama A. & M. University for the fiscal year 1975-76.

"The said 3 million dollars shall be divided equally between these two institutions. This section shall supersede any other provisions of this bill authorizing expenditures for these institutions."

Further amend House Bill No. 489, as amended, Page 25 Line 21, by striking out Section 47 in its entirety.

Which was adopted.

Yeas 18; Nays 2.

Yeas:

Messrs. Adams, Ellis, Fine, Foshee, Givhan, Jones, King, Little, Littleton,

McDonald (A), McMillan, Mitchell, Perloff, Powell, Roberts, St. John, Vacca, Waldrop.

— 18

Nays: Messrs. Baker, Owen.

— 2

And said Bill, H. B. 489, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 2.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

— 25

Nays: Messrs. McDonald (A), Torbert.

— 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 600. Relating to the profession and practice of optometry; defining the practice and profession of optometry; providing for the licensing, examination, and regulation of optometrists; abolishing the State Board of Optometry; creating the Alabama Board of Optometry, and prescribing its powers, duties and authority; providing for the issuance of temporary licenses, limited licenses, licenses, license certificates and annual registration certificates, and prescribing the qualifications of persons to practice optometry; providing for the collection and disbursement of examination and other fees and charges; authorizing the Alabama Board of Optometry to examine applicants for licenses and license certificates, and to issue and deny licenses, and to conduct hearings and to initiate legal proceedings to impose sanctions against licensees for violating the provisions of this act; and providing for the enforcement of the act and prescribing penalties for violations thereof; repealing Chapter 11 of Title 46, Code of Alabama (1940) and any other laws which conflict with this act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1489. To amend a portion of Section 3, Act No. 1948, H. 1151, Acts of Alabama, 1971, Regular Session, page 3146, approved September 20, 1971.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1373. To exempt waterworks boards now or hereafter organized under the provisions of Act No. 175 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 390. Proposing an amendment to Article 4, Section 106 of the Constitution of Alabama to dispense with the requirement of spreading notice and proof of local legislation on the journals of each house by providing that the Clerk of the House or the Secretary of the Senate shall merely certify in the appropriate journal that notice and proof was attached to the local legislation and is attached as a matter of public record to the original copy of the bill filed in the Department of Archives and History.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1194. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama which section provides for the issuance of revenue bonds by a board of water and sewer commissioners, by changing the rate of interest that such bonds may bear.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 271. To make appropriations for the support and maintenance of the Walker County Junior College located at Jasper, in Walker County.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

Nays:

—0

The Bill:

H. 488. To make appropriations for the support and maintenance of Talladega College.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

Nays:

—0

The Bill:

H. 476. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

Nays:

—0

The Bill:

H. 584. To make appropriation for the support and maintenance of the Tuskegee Institute locate in Macon County for the next fiscal year.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

Nays:

—0

The Bill:

H. 457. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

Nays:

—0

The Bill:

H. 198. To amend further Section 366 of Title 52 of the Code of Alabama 1940, as amended, which relates to the Teachers' Retirement System of Alabama, so as to provide for 2.0125% formula in calculating retirement benefits and to provide for the removal of the 80% of average final compensation restriction on retirement benefits; also provides for a redetermination as of October 1, 1975; also provides for a clarification of the corporate powers of the Retirement Systems of Alabama; and further provides for necessary and proper appropriations.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Powell, Roberts, St. John, Torbert, Vacca.

—24

Nays:

—0

The Bill:

H. 199. To provide that in the event Section 366 of Title 52 of the Code of Alabama 1940, as amended, provides, at the time this Act becomes

effective, that the formula factor for computing teachers' retirement benefits shall be 2.0125%, then any retired teacher and/or any teacher who retired hereafter, who does not receive a 15% net gain in retirement benefits by operation of the formula increase, shall receive an additional amount which shall be sufficient, when added to result in a "post-formula increase" net gain in benefits equal to, but not exceeding, 15% of such member's prior benefit entitlements; also to provide for all necessary and proper appropriations.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Torbert, Vacca, Waldrop.

—28

Nays:

—0

The Bill:

H. 97. In addition to any law or part of any law contained and appearing in Chapter 14 of Title 52 of the Code of Alabama 1940, as amended, which relates to the Teachers' Retirement System of Alabama, to provide for the retirement under the Teachers' Retirement System of any teacher, regardless of age, who is a member of the Teachers' Retirement System, and, who has thirty years of creditable service; also provides for a clarification of the corporate powers of the Retirement Systems of Alabama; and to provide for necessary and proper appropriations.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Jones, King, Little, Littleton, McDoanld (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—30

Nays:

—0

The Bill:

H. 63. To amend Section 1 of Act No. 515, HB 93, approved July 9, 1945 (General Acts 1945, p. 734) as amended (Title 55, Section 456, Code of Alabama 1940, Recompiled 1958, and as amended), which relates to the Employees' Retirement System of Alabama; so as to provide that the "average final compensation" used to calculate a member's retirement benefit will be based upon the three (3) years, rather than the five (5), of the final ten (10) years of membership service in which earnable compensation is highest. To also provide for the redetermination of all

retirement allowance payments due on or after October 1, 1975, to members who retire prior to said date. Also to provide for necessary and proper appropriations to carry out the provisions of this Act.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—29

Nays:

—0

POINT OF PERSONAL PRIVILEGE

Mr. Stewart stated that had he been present when the Bills, H. B.'s 198 and 199, were passed, he would have voted "Aye".

Mr. Givhan stated that had he been present when the Bills, H. B.'s 198, 199 and 97, were passed, he would have voted "Aye".

BILLS ON THIRD READING RESUMED

The Bill:

H. 43. To provide for the reopening of the Employees' Retirement System of Alabama to those employees who were in service on October 1, 1974, who declined membership at the time of establishment, and to those who have non-membership service but who later joined the Employees' Retirement System; also reopens said System to employees who were in service on October 1, 1974, who have creditable service for which they are ineligible to gain credit for reasons other than non-membership; also to provide a redetermination of benefits for members retired prior to October 1, 1975; and further to provide for necessary and proper appropriations.

was taken up.

Mr. Mitchell offered the following amendment to the Bill, H. B. 43, to-wit:

AMENDMENT TO H. B. 43

Amend H. B. 43, by adding Section 9:

Section 9. Any person who is presently a regular employee of the State of Alabama and is covered or eligible to be covered under the State Employees' Retirement System and who, prior to such regular employment was employed as a fully budgeted school bus driver (not a student), mechanic or maintenance worker by any County or City Board of Education on the governing board of any public school in Alabama regardless of the source from which and the manner in which his salary was paid, shall be entitled to receive credit for all service in such capacity rendered by him prior to October 1, 1971; provided such person shall pay into the Employees' Retirement System, within six months from the effective date of this Act, a sum equal to the total contributions which he

would have made as a member during the period of such employment from October 1, 1945 to October 1, 1971.

and renumbering other Sections.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs. Edwards, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Owen, Pearson, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

—23

Nays:

—0

And said Bill, H. B. 43, as thus amended, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop.

—29

Nays:

—0

The Bill:

H. 500. To provide salary increases for certain state employees; and to appropriate funds therefor.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 500, to-wit:

COMMITTEE AMENDMENT TO H. B. 500

Amend House Bill No. 500 by striking Section 4 on page 2 as amended in its entirety and inserting in lieu thereof the following:

Section 4. Such amounts as may be necessary to pay state employees the increased salaries provided are hereby appropriated for the fiscal year beginning October 1, 1975 as follows: \$520.00 absolute and \$260.00 conditioned on funds being available and approved by the Governor from such funds as the salaries of the several state employees are, respectively, paid, or if there is not sufficient money in such funds, then from the general fund.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Waldrop, Wilson.

—30

Nays:

—0

Mr. Edwards offered the following amendment to the Bill, H. B. 500, as amended, to-wit:

AMENDMENT TO H. B. 500, AS AMENDED

In Section 1 insert at the end of line 20 the following:

, including all employees of county health departments who are employed subject to the state merit system law and whose compensation is paid out of a budget provided and agreed upon by the state, county or other contributing agency, under the direction of the state board of health,

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—30

Nays:

—0

And said Bill, H. B. 500, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—30

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor concerning

Senate Bill Number 627, and containing suggested Executive Amendments.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 9 DAY OF OCTOBER, 1975.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill Number 627 without my signature and approval and with the following suggested Executive Amendment.

It is my suggestion that you amend Senate Bill Number 627 by deleting Section 14 in its entirety and substituting in lieu thereof the following:

"Section 14. The Jury Board shall place on the jury roll and in the jury box the names of all citizens of the County who are generally reputed to be honest and intelligent and are esteemed in the community for their integrity, good character and sound judgment; but no person must be selected who is under nineteen or over seventy years of age. Any person who is an habitual drunkard, or who, being afflicted with a permanent disease or physical weakness, is unfit to discharge the duties of a juror, or cannot read English, or who has ever been convicted of any offense involving moral turpitude shall not be eligible for jury duty. If a person cannot read English and has all the other qualifications prescribed herein and is a free-holder or householder, his name may be placed on the jury roll and in the jury box."

The adoption of the above and foregoing Executive Amendments will remove my objections to the bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Ellis, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 627. To amend Section 14 of Act No. 247, H. 512, Special Session of 1932 (Local Acts of Alabama, Special Session of 1932, p. 98), which act provides for a jury board in Jefferson County so as to allow persons not under twenty-one years and not over seventy years of age to serve as jurors in said county.

which said amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Flippo, Foshee, Gilmore,

Jones, King, Little, Littleton, McMillan, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 627, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McMillan, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1547. Relating to the First Judicial Circuit; providing for an additional circuit court judge in such circuit, and providing for the designation of judgeships upon the expiration of existing terms of office; and provides for the maintenance of an office for circuit judges in Clarke County.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 1547, to-wit:

SUBSTITUTE FOR H. B. 1547

A BILL TO BE ENTITLED AN ACT

Relating to the First Judicial Circuit; providing for an additional circuit court judge in such circuit, and providing for the designation of judgeships upon the expiration of existing terms of office; and provides for the maintenance of an office for circuit judges in Clarke County.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created an additional judgeship for the First Judicial Circuit. The additional judge shall be appointed for the circuit by the Governor, within ten days after the effective date of this act, who shall hold office until his successor is elected and qualified at the next general election for any state office. The judge so elected shall hold office until his successor is elected and qualified at the next general election for circuit judges.

Section 2. The judge appointed or elected as provided in Section 1 of this act shall have and shall exercise all the jurisdiction, power, right and authority; shall possess all of the qualifications; shall perform all of the duties required; and shall be subject to all of the pains and penalties of such office as any other such judge is subject to in the same circuit.

Section 3. The compensation and allowances of such judge shall be paid in the same amount and under the same terms and manner as that of the other judge in the circuit.

Section 4. The judge may appoint a bailiff, and a court reporter whose qualifications, powers, duties, and authority shall be the same as each other bailiffs and reporters of the circuit court and whose compensation shall be paid in the same amount and under the same terms and manner as other bailiffs and reporters of the First Judicial Circuit.

Section 5. The existing judgeship shall be designated as Judgeship No. 1. The circuit judge occupying Judgeship No. 1 shall be the presiding judge. The additional judgeship herein created shall be designated Judgeship No. 2. At the first general election for circuit judges held after the expiration of the existing terms of office of incumbent circuit judges candidates will run for Judgeship No. 1 ("Presiding Judge") and Judgeship No. 2, respectively.

Section 6. A full time office shall be maintained for the circuit judge in the courthouse of Clarke County. The governing body of Clarke County is authorized to establish, maintain, staff and equip such office and pay from the general funds of the county treasury all costs incident thereto.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this act are repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The Standing Committee on Finance and Taxation then reported the following amendment to the substitute for the Bill, H. B. 1547, to-wit:

COMMITTEE AMENDMENT TO SUBSTITUTE FOR H. B. 1547

Amend the substitute for H. B. 1547 by deleting Section 1, where it begins on line 27 of page 1 in its entirety and inserting in lieu thereof the following:

"Section 1. There is hereby created an additional judgeship for the First Judicial Circuit. Said additional judge shall run at the next general election and shall hold office until his successor is elected and qualified as provided in Article VI, Sections 146, 152 and 158, of the Constitution of Alabama. The judge for the additional judgeship shall be elected thereafter as are other circuit judges in this State."

Further amend said bill by deleting the words "appointed or" where they appear in Section 2 of said bill on line 35 of page 1.

Which was adopted.

And said substitute, as amended, for the Bill, H. B. 1547, was then adopted by the Senate.

Yeas 22; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Fine, Foshee, Gilmore, Givhan, Jones, King, Littleton, McMillan, Mims, Noonan, Owen, Pearson, Perry, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

—22

Nay: Mr. Flippo.

—1

And said Bill, H. B. 1547, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 22; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Fine, Foshee, Gilmore, Givhan, Jones, King, Littleton, McMillan, Mims, Noonan, Owen, Pearson, Perry, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

—22

Nay: Mr. Flippo.

—1

The Bill:

H. 1567. To amend Section 259, subsection (d) of Section 262, Section 263, Section 272, Section 279, Section 283, Section 289, Section 293, Section 299, Section 312, all being of Chapter 5 Title 26, Code of Alabama 1940, as amended, Sections 7, 13, and 17 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, Sections 6, 12, and 16 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as amended, and Sections 6, 12 and 16 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as amended, relating to extraterritorial coverage of employees subject to the workmen's compensation laws of Alabama, providing compulsory coverage for employers who do not regularly employ less than three employees, extending immunity from suit by employees to other employees of the employer, to the employer's workmen's compensation insurance carrier and to certain persons or unions making safety inspections, defining permanent total disability and extending benefits for permanent total disability for the duration of the disability, fixing the employer's and the second injury trust fund's liability in the event a second injury produces permanent total disability, permitting credit for the payment of benefits for temporary total disability against the compensation payable for permanent partial disability resulting from an unscheduled injury only, providing for vocational rehabilitation under certain circumstances, establishing the effect of the procurement of gainful employment on permanent total disability benefits, increasing the percentage of a decedent's employee's average weekly wages to which one dependent is entitled, fixing the minimum weekly benefit at 25% of the average weekly wage of the state as determined by the director of industrial relations and the maximum weekly benefit at 66-2/3% of such

average weekly wage, and providing for certain periodic changes in the minimum and maximum weekly benefit and the total amount of compensation payable, eliminating any time or dollar limit for compensable medical expenses and giving an employee the right to reject the first two physicians selected by the employer, establishing the effect of the recovery of damages from a third party by an employee suffering a permanent total disability, permitting lump sum payments of compensation with commutation upon approval of the court and by agreement of the parties and amending the acts providing for compensation for occupational pneumoconiosis, occupational exposure to radiation, and certain occupational disease to make the amendments described above applicable to those acts, all relating to the statutory plan for the compensation of employees for job-related injuries and certain illnesses and diseases.

was taken up.

Mr. Baker offered the following amendment to the Bill, H. B. 1567, to-wit:

AMENDMENT TO H. B. 1567

Amend H. 1567 as follows:

On page 1, lines 9 through 11, by striking out the words "it prohibits suits by an employee against his fellow employees his employer's compensation carrier and unions and union representatives making safety inspections".

On page 1, lines 31 through 34, by striking out the words "extending immunity from suit by employees to other employees of the employer, to the employer's workmen's compensation insurance carrier and to certain persons or unions making safety inspections"

On page 3 lines 11, 12, and 13 by striking through the words "and shall, if the employer is insured, include his insurer" and by striking out the words "such insurer being entitled to the employer's rights, immunities and remedies under this chapter."

On page 4, lines 10 and 11, by striking out the words "and no officer, director, agent, servant or employee of such employer"

Also, on page 4, lines 12 and 13 by striking out the words "who is an employee of the same employer and whose injury or death is"

On page 4, lines 17 through 22 by striking out the words "The immunity from civil liability shall extend to any workmen's compensation insurance carrier of such employer and to any officer, director, agent, servant, or employee of such carrier; and such immunity shall further extend to any labor union, or any official or representative thereof, making a safety inspection for the benefit of the employer or its employees."

On lines 37 and 38 on page 24 and lines 1 through 6 on page 25 by striking through the words "provided, however, neither an officer, director, agent, servant or employee of the same employer or", by striking out the word "nor", by striking through the words "his personal representative", by striking out the words "nor any workmen's compensation insurance carrier of the employer, nor any officer, director, agent, servant or employer of such carrier, nor any labor union, or an official or representative thereof, making a safety inspection for the benefit

of the employer or its employees", and by striking through the words "shall be considered a party other than the employer against whom such an action may be brought."

On page 26, lines 24 and 25 by striking out the words "and no officer, director, agent, servant or employee of any such employer"

On page 26, lines 32 through 38 by striking out the words "The immunity from civil liability shall extend to any workman's compensation insurance carrier of such employer and to any officer, director, agent, servant, or employee of such carrier; and such further extend to any labor union, or any official or representative thereof, making a safety inspection for the benefit of the employer or its employees."

On page 27, lines 38 and 39, by striking out the words "and no officer, director, agent, servant, or employee of such employer."

On page 28, by striking out lines 10 through 15 entirely.

On page 29 lines 17 and 18 by striking out the words "and no officer, director, agent, servant or employee of such employer".

On page 29, lines 24-30 by striking out the words "The immunity from civil liability shall extend to any workmen's compensation insurance carrier of such employer and to any officer, director, agent, servant, or employee of such carrier; and such immunity shall further extend to any labor union, or any official or representative thereof, making a safety inspection for the benefit of the employer or its employees."

Mr. Wilson moved that said amendment be laid on the table, which motion was lost.

Yeas 14; Nays 15.

Yeas:

Messrs. Ellis, Fine, Gilmore, Givhan, Little, Littleton, McDonald (S), Noonan, Perry, Powell, St. John, Torbert, Vacca, Wilson.

— 14

Nays:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Flippo, McDonald (A), McMillan, Mitchell, Pearson, Perloff, Roberts, Shelby, Stewart, Waldrop.

— 15

And said amendment was then adopted.

Yeas 15; Nays 14.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Flippo, King, McDonald (A), McMillan, Mitchell, Pearson, Perloff, Shelby, Stewart, Waldrop.

— 15

Nays:

Messrs. Ellis, Fine, Gilmore, Givhan, Little, Littleton, McDonald (S), Noonan, Perry, Powell, St. John, Torbert, Vacca, Wilson.

— 14

Mr. Flippo offered the following amendment to the Bill, H. B. 1567, as amended, to-wit:

AMENDMENT TO H. B. 1567, AS AMENDED

Amend House Bill No. 1567 Page 21 Line 10, by striking out the figure 500 after the word product of and insert the figure 750 times

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 20; Nays 7.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, Little, Littleton, Mims, Mitchell, Noonan, Pearson, Perloff, Perry, St. John, Torbert, Waldrop, Wilson.

—20

Nays:

Messrs. Bank, Fine, Flippo, King, McMillan, Shelby, Stewart.

—7

And said Bill, H. B. 1567, as thus amended, was then read a third time at length and passed.

Yeas 16; Nays 13.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Jones, King, McDonald (S), McMillan, Mitchell, Pearson, Perloff, St. John, Shelby, Stewart, Waldrop.

—16

Nays:

Messrs. Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Little, Littleton, Noonan, Perry, Torbert, Vacca, Wilson.

—13

The Bill:

H. 1183. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the

Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

was taken up.

Mr. Stewart offered the following amendment to the Bill, H. B. 1183, to-wit:

AMENDMENT TO H. B. 1183

Amend House Bill No. 1183 Page 1 Lines 31-34, by striking out after the word "State;" the following:

"to provide that all bonds issued by the authority may thereafter be refunded by the issuance of refunding bonds;"

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Fine, Flipppo, Gilmore, Givhan, King, McDonald (S), McMillan, Mims, Pearson, Perloff, Powell, St. John, Stewart, Torbert, Waldrop.

— 18

Nays:

— 0

And said Bill, H. B. 1183, as thus amended, was then read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flipppo, Foshee, Gilmore, Givhan, King, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Waldrop.

— 23

Nays:

— 0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 409. To create an additional Judgeship of the Twenty-Second Judicial Circuit, to be designated Circuit Judge Number Two; to provide for his appointment and election, jurisdiction, powers, duties, authority, and qualifications; to render him liable to all the pains and penalties of other Circuit Judges of the State of Alabama; and to provide for and fix the salary of such Judge.

Also:

S. 576. To amend Section 19 of Title 51 of the Code of Alabama 1940 to provide for capital improvements and maintenance at the Confederate Memorial Park located at Mountain Creek, Chilton County, thereby indicating respect for the resting place of valiant Confederate soldiers.

Also:

S. 704. To provide for eligibility of Supernumerary District Attorneys by amending Section 1 of Act No. 1873, S. 255, 1971 Regular Session, Acts 1971, p. 3053 [(now appearing in Code of Alabama Recompiled 1958, Title 13, Section 260 (11b)], as amended.

Also:

S. 683. To further amend Act Number 753 approved September 12, 1969, creating The Alabama Constitutional Commission.

Also:

S. 300. To amend Act No. 37, H. 175, Special Session 1969 (Acts 1969, p. 88) as amended and as also appearing as Title 51, Sections 188 (10)-188 (18), Code of Alabama, 1940, which relates to the levy of a service use tax on utilities, so as to exclude public schools including all institutions of higher education, junior colleges and trade schools of this state from the provisions of said act.

Also:

S. 301. To amend Act No. 21, H. 28, Special Session 1969 (Acts 1969, p. 46) as amended and as also appearing as Title 51, Sections 188 (1) - 188 (9), Code of Alabama, 1940, which relates to the levying of a gross receipts tax on utilities, so as to exclude public schools including but not limited to all institutions of higher learning, junior colleges, and trade schools of this state from the provisions of said act.

Also:

S. 307. To make unlawful the selling of certain game fish caught or taken from any of the fresh waters of this or any other state, providing certain exceptions and prescribing the penalty for violations.

Also:

S. 712. To amend Section 401, Title 51 of Code of Alabama 1940, so as to define further, gross income of a corporation which adopts a plan of complete liquidation in accordance with Section 337 of the Internal Revenue Code of the United States, and to amend Code of Alabama Title 33, Section 9 relative to filing notice of a tax lien under the provisions of federal law.

Also:

S. 901. Relating to the Twenty-Fifth Judicial Circuit; providing for an additional circuit judge in such circuit.

Also:

S. 845. To authorize every municipality in the State of Alabama and certain public corporations to transfer and convey, without an election, any gas system or part thereof, now or hereafter owned by such municipality or public corporation to any utility corporation subject to regulation by the Alabama Public Service Commission; to require prior approval by the said Commission of any such transfer and conveyance and of the terms thereof; to require that any such transfer and conveyance be made for not less than fair market value as determined by the said Commission; and to require prior approval, by each municipality which authorized, consented to, or made determinations prerequisite to the incorporation of a particular public corporation, of any such transfer or conveyance by such public corporation.

Also:

S. 772. To provide for a treatment program for persons suffering from hemophilia and related diseases, and the administration therefor; and appropriating \$300,000 from the Special Education Trust Fund for the purposes of this act.

Also:

S. 308. To designate the Largemouth Bass as the official fresh water fish of Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 102. To amend Section 1 of Act No. 1515, H. 37, 1971 Regular Session [Acts of 1971, p. 2629; now appearing in Code of Alabama, Recompiled 1958, Title 8, Section 30 (1)], entitled "To provide for the cost of and establish the procedure for obtaining an annual resident state hunting license"; so as to provide for the issuance of a permanent lifetime hunting license for all residents over 65 years of age at no cost and upon the payment of nominal issuance fee; repealing Act No. 546, S. 437, 1965 Regular Session [Acts of 1965, p. 796; now appearing in Code of Alabama, Recompiled 1958, Title 8, Section 31 (1)].

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1184. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, King, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, St. John, Stewart, Torbert.

—23

Nays:

—0

The Bill:

H. 1562. To amend Act No. 168, H. 270, Special Session 1966 (Acts 1966, p. 190), which act creates the Alabama Historical Commission, so as to provide further for the employment by the said commission of certain personnel.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Waldrop.

—24

Nays:

—0

The Bill:

H. 1778. To make a conditional appropriation from the general fund of the State Treasury to the Alabama Historical Commission of the sum of Five Hundred Thousand (\$500,000.00) to be used for the purpose of fully restoring Fort Toulouse and to develop the Fort Toulouse Complex.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, St. John, Stewart, Waldrop.

—24

Nays:

—0

The Bill:

H. 616. To provide for a retirement system for the sheriffs of the various counties within the state.

was taken up.

Mr. Waldrop offered the following amendment to the Bill, H. B. 616, to-wit:

AMENDMENT TO H. B. 616

Amend Section 6 of House Bill 616 as follows:

Change the period following the figures "300,000" to a comma "," and add the following:

"nor those counties having a population of 90,000 to 100,000."

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Messrs. Adams, Clemon, Fine, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Vacca.

—19

Nays:

—0

Mr. Baker moved that further consideration of the Bill, H. B. 616, as amended, be postponed temporarily. On motion of Mr. St. John, the motion to postpone was laid on the table.

Mr. Baker then moved that further consideration of the Bill, H. B. 616, as amended, be postponed until 11:45 tonight.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 158. Relative to mourning the death of former Senator L. L. "Dago" Dozier.

Also:

S. J. R. 161. Relative to creating a joint interim committee to study the permanent financing of Jefferson County Health Department and Transit Authority.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1243. Relating to Mobile County; providing for the reapportionment of the Mobile County Board of School Commissioners to consist of five members elected from the House Districts or portions thereof which are located within the boundaries of Mobile County; providing for election and length of term for the new commissioners.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 113. To provide for and regulate absentee voting in primary, general, special and municipal elections; prescribing penalties for violations of the Act; repealing conflicting laws and specifically repealing Act No. 424, H. 351, Regular Session 1949 (Acts 1949, page 601) and all acts amendatory and supplemental thereto.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 658. To amend Section 25 of Act No. 1, Regular Session 1945 (Acts of Alabama 1945, p. 1), by increasing the permit fee for oil and gas wells and to regulate further the disposition and use of such permit fees.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1075. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 616

The Senate proceeded to further consideration of the Bill, H. B. 616. The question was on the motion of Mr. Baker that further consideration to postponed until 11:45 tonight.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 803. To amend Sections 6, 7 and 10 of Act No. 727, H. 1714, 1973 Regular Session (Acts of 1973, p. 1086) relating to Bibb County so as to provide further for the method of compensation of the probate judge and his assistants, the assistants of the circuit clerk and to change the effective date as to the probate judge and his assistants to July 1, 1975.

said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE OF
CONFERENCE ON HOUSE BILL 803

We the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the Senate's amendment to H. B. 803 have met, considered the bill as amended, and have agreed to the following report:

1. We recommend that the Senate recede from that part of its amendment to the bill relative to Section 7.

2. We recommend that the bill as introduced be amended as follows and then passed by both houses:

On page 1, line 27, strike out the figures: "\$800.00" and insert in lieu thereof the following: \$1,000.00

Also on page 1, line 29, strike the figures "\$600.00" and insert in lieu thereof the following: \$700

Respectfully submitted,

WALTER OWENS,

FRANK JACKSON,

MONROE SMITH,

Conferees on the part of the House

RICHARD SHELBY,

E. H. GILMORE,

JOE FINE,

Conferees on the part of the Senate

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. Shelby, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 803, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 1488. To provide that the Shelby County Commission is authorized to provide an additional expense allowance to certain county officers.

said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON H. B. 1488

We the Committee on Conference appointed to reconcile the disagreement between the two houses concerning the Senate's amendment to H. B. 1488 have met, considered the bill as amended, and have agreed to the following report:

1. We recommend that the House and Senate each recede from its amendment to the bill.

2. We recommend that the bill be amended as follows and as so amended then be passed by both houses:

In Section 1, on line 20 strike out the word "except" after the word "commission" and insert in lieu thereof the word

including

Respectfully submitted,

J. T. WAGGONER, JR.,

CURTIS SMITH,

OTIS H. MOORE, JR.

Conferees on the part of the House

E. H. GILMORE,

OBIE J. LITTLETON,

Conferees on the part of the Senate

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. Littleton, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1488, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 489. To make annual appropriations for the support, maintenance, and development of public education in Alabama for the fiscal year ending September 30, 1976.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Messrs. Merrill, Manley and Owens.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Baker, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 489, the title of which is set out in the foregoing Message from the House.

Yeas 29; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—29

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Flippo, Owen and Littleton.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 1036. To create an additional judgeship for the Sixth Judicial Circuit of Alabama and provide for the election, term, compensation, powers, duties and authority of such judge.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 315. To amend Sections 3, 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an Act "To authorize the State of Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that all of Lake Guntersville State Park be operated by the State the first three years; and to authorize negotiation of concession contracts under certain conditions; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate.

Also:

S. 322. To provide a uniform issuance fee for all licenses sold by the Game and Fish Division of the Department of Conservation and Natural Resources; to make it unlawful to charge more than the fee authorized herein; and to provide a penalty.

Also:

S. 306. To amend Section 5 of Act No. 266, Acts of Alabama, 1961 Special Session, p. 2282, so as to provide what shall constitute prima facie evidence of spear fishing.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 628. Relating to the compensation of the Legal Stenographer of the District Attorney of the Sixth Judicial Circuit, amending Act No. 657 of 1973 Regular Session of Legislature of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelby, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 628, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. B. 628

A BILL TO BE ENTITLED AN ACT

To authorize and provide for the payment out of the county treasury of pension or retirement allowances, under certain circumstances, to judges of the county court in any county in the Sixth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person who has served at least twelve years as judge of the county court of any county in the Sixth Judicial Circuit of this State and who has reached the age of sixty years of age shall, upon application to the county governing body of the county, be entitled to a pension or retirement allowance in the amount of six hundred dollars per month payable out of any funds available therefor in the county treasury. The application shall be made not less than thirty days before the applicant desires to start receiving such pension or retirement allowance and shall be in such form as prescribed by the county governing body. Upon receipt of an application for a pension or retirement allowance as authorized above, if the county governing body is convinced that the applicant meets the qualifications prescribed above, it shall order and provide for the payment to such applicant of the pension or retirement allowance, hereinabove authorized, on the first day of each month for the remainder of the applicant's life in the same manner that the salaries of county employees are paid.

Section 2. The provisions of this Act shall apply only to those persons who are in office at the time of the passage of this Act or who may thereafter become eligible under its provisions.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 1278. Relating to Lawrence County; to provide that a certain percentage of the proceeds accruing to the Alabama Department of Aeronautics from any rental or lease agreement covering certain lands in said county shall be deposited to the Lawrence County general fund; requiring all such leases to be let on a competitive bid basis.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a Message from the Governor relative to House Bill Number 1278, and containing a suggested Executive Amendment.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 9 DAY OF OCTOBER, 1975.

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 1278, without my signature and approval and with the following suggested Executive Amendment.

It is my suggestion that you amend Section 1 of House Bill Number 1278 by deleting the word "gross", and inserting in lieu thereof the word "net".

The adoption of the above and foregoing Executive Amendment will remove my objections to this bill.

Respectfully,
 GEORGE C. WALLACE,
 Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor to the Bill, H. B. 1278, by a vote of a majority of the whole number elected to the House, said votes being: Yeas 87, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 78, Nays 0.

And said Bill, H. 1278, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
 Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Edwards, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 1278, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 1278, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

FURTHER CONSIDERATION OF H. B. 616

The Senate proceeded to further consideration of the Bill, H. B. 616.

The question was on the motion of Mr. Baker that further consideration be postponed until 11:45 tonight.

RESOLUTION

Mr. Mitchell offered the following Senate Joint Resolution, to-wit:

S. J. R. 162. CREATING THE INTERIM FIREFIGHTERS PENSION FUND COMMITTEE.

WHEREAS, there is a need to examine alternatives for funding firefighters pensions; and

WHEREAS, the Legislature of Alabama requires an in-depth study in order to fully comprehend the problems involved with Firefighters Pension Fund; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Interim Firefighters Pension Fund Committee be established as herein provided for:

A. The Committee shall consist of 9 members; three members shall be appointed from the Alabama House of Representatives by the Speaker; three members shall be appointed from the Senate by the Lieutenant Governor; and three members shall be firefighters, one of whom shall be the executive secretary of the firefighters' association, or his designee, one the president of the association or his designee, and one elected by the membership of the association.

B. The members of said committee shall choose a chairman and vice-chairman who shall preside over the meetings and shall be responsible for making the committee's recommendations to the Legislature no later than the fifth legislative day of the 1976 Regular Session, at which time the committee's duties shall terminate.

C. Each legislative member of the Committee shall be entitled to receive his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the Committee which shall be paid out of any funds appropriated to the use of the Legislature, on warrants drawn on the state comptroller upon requisition signed by the committee's chairman, and the committee may employ a clerical stenographer or secretary which employee shall be paid from the regular Legislative appropriation as provided in Title 32, Section 13, Code of Alabama, 1940, as amended.

On motion of Mr. Mitchell, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 354. To amend Act No. 224, S. 68 of the Regular Session of 1965 (Acts 1965, p. 315) entitled "An Act To require that those buildings and facilities constructed in the state by the use of state, county or municipal funds shall adhere to the principles prescribed by this act, so as to make

these buildings and facilities accessible to, and usable by, the physically handicapped," so as to authorize and provide for the adoption and enforcement by the authorities charged with the enforcement of said act, as rules and regulations having the force and effect of law, of additional standards prescribed by the American National Standards Institute for making buildings and facilities accessible to and functional for the physically handicapped; and for such purposes amending Sections 1 and 10 of said act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Littleton, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 354, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 354

A BILL TO BE ENTITLED AN ACT

To amend Act No. 224, S. 68 of the Regular Session of 1965 (Acts of 1965, p. 315), entitled "An Act To require that those buildings and facilities constructed in the state by the use of state, county or municipal funds shall adhere to the principles prescribed by this Act, so as to make these buildings and facilities accessible to and usable by the physically handicapped," so as to eliminate the detailed specifications and standards from the law, and to authorize the state fire marshal to prescribe and adopt standards and specifications for the buildings, premises and facilities to which this Act applies, which will make such buildings, premises, and facilities accessible to and functional for the physically handicapped; to authorize and provide for the granting of waivers of particular standards or specifications under certain circumstances and for such purposes amending Sections 1 and 10 of said Act and repealing Sections 4 through 9, inclusive, of such Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1 and 10 of Act No. 224, S. 68 of the Regular Session of 1965 (Acts 1965, p. 315), entitled "An Act To require that those buildings and facilities constructed in the state by the use of state, county or municipal funds shall adhere to the principles prescribed by this Act, so as to make these buildings and facilities accessible to, and usable by, the physically handicapped," are hereby amended to read as follows:

"Section 1. (a) The standards and specifications prescribed by the fire marshal as authorized in this Act shall apply to all buildings and facilities used by the public which are constructed in whole or in part by the use of state, county or municipal funds, or the funds of any political subdivision of the state. All such buildings and facilities constructed in this state after the effective date of this act from any one of these funds or any combination thereof shall conform to each of the standards and specifications prescribed herein, and also any standards and specifications prescribed as supplementary thereto as authorized in Section 10.

"These standards and specifications shall be adhered to in those buildings and facilities under construction on the effective date of this act,

unless a written waiver thereof is issued pursuant to subsection (c) of this section. If the authority responsible for the construction determines that the construction has reached a state where compliance is impractical, and applies to the fire marshal or the director of the building commission for a waiver, such officer or officers shall issue the requested waiver.

“(b) The State Fire Marshal shall prescribe and publish standards and specifications for the buildings, premises and facilities to which this act applies, which will make such buildings accessible to and functional for the physically disabled who are confined to wheel chairs and to those ambulating on braces or crutches, or both, or on canes, to the blind, and to the deaf. Such standards and specifications may be based on the American National Standards Institution specifications, and as heretofore or hereafter amended. Such standards and specifications shall apply to building features such as the width of halls and doorways, and the construction of stairs, the installation of ramps, the installation of other equipment and accessories to aid the handicapped, the location and installation of equipment and accessories for the buildings such as public telephones, fire alarms, toilet rooms, lights, heat and ventilation controls or switches, elevator signals and similar items of frequent or essential use. They shall require both visual and audible warning devices to warn the deaf and blind as well as the public generally of possible hazards. They shall also apply to the grading of the lots on which any building to which this act applies are located and to walks and parking areas accessible to such buildings.

“(c) The State Fire Marshal and the Director of the State Building Commission are, each, hereby authorized to construe and interpret the standards and specifications prescribed as authorized hereinabove; and each of such officers is hereby authorized, with the concurrence of the other, to grant a waiver of a particular standard or specification upon proper application therefor, when in their joint opinion following the specification or standard would be unreasonably costly and impractical or that an alternative facility is already reasonably available.

“Section 10. The responsibility for reviewing architectural plans and specifications for buildings to which this act applies shall be as follows:

“(a) Where state school funds are utilized—the State Board of Education and the State Building Commission;

“(b) Where other state funds are utilized—the State Building Commission;

“(c) Where funds of counties, municipalities or other political subdivisions are utilized the governing bodies thereof and the State Building Commission.

“Each such reviewing authority is hereby authorized to adopt and enforce rules and regulations prescribing additional standards based on standards prescribed by the American National Standards Institute for making buildings and facilities accessible to and functional for the physically handicapped.

“(d) The State Fire Marshal is charged with the duty of enforcing standards and specifications prescribed as authorized in Section 1 (b) of this act. For such purpose he shall have the same power and authority to inspect buildings, facilities and premises to which this act applies, that he

has relative to buildings which might constitute fire hazards. If he finds that any building to which this act applies does not comply with the applicable standards and specifications duly prescribed and published pursuant to said Section 1 (b) he shall immediately order the same to be conformed to such standards and specifications. Such order may be appealed and enforced in the same manner prescribed for appealing and enforcing the fire marshal's orders relative to the elimination of fire hazards.

Section 2. Sections 4 through 9, inclusive, of said Act No. 224, S. 68 of the Regular Session of 1965 (Acts 1965, p. 315) are hereby specifically repealed.

Section 3. This act shall become effective January 1, 1976, after its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Givhan, King, Littleton, McDonald (S), McMillan, Mitchell, Noonan, Perloff, Powell, Roberts, St. John, Stewart, Vacca, Wilson.

—18

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill:

H. 1866. Relating to DeKalb County; authorizing the DeKalb County Commission to levy an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I am herewith transmitting to you a Message from the Governor relative to House Bill Number 1866, and containing a suggested Executive Amendment.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 9th DAY OF OCTOBER, 1975.

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 1866 without my signature and approval and with the following suggested Executive Amendment.

It is my suggestion that you amend House Bill Number 1866 by deleting Section 6 in its entirety, and substituting in lieu thereof the following:

“Section 6. The proceeds of the tax hereby authorized, less the actual costs of collections not to exceed ten per centum (10%), shall be paid by the state Department of Revenue into the DeKalb County general fund.”

The adoption of the above and foregoing Executive Amendment will remove my objections to this bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 73, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 80, Nays 0.

And said Bill, H. 1866, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Baker, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 1866, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Shelby, Torbert, Vacca, Wilson.

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 1866, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Shelby, Torbert, Vacca, Wilson.

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 1518. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24A and to strike Sections 17, 18, 19 and 20 of Act No. 96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) which relates to the establishment of an inferior court in Jefferson County known as the Civil Court of Jefferson County.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor concerning House Bill Number 1518, and containing a suggested Executive Amendment.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 9 DAY OF OCTOBER, 1975.

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

At the request of the sponser, I am returning to you, the body in which it originated, House Bill Number 1518 without my signature and approval and with the following suggested Executive Amendment.

It is suggested that you amend House Bill Number 1518 by deleting Section 21 in its entirety and substituting in lieu thereof the following:

"Section 21. All laws and parts of laws, general, special, or local, in conflict with any of the provisions of this act, shall be and the same are hereby repealed, provided, however, that in case of conflict between any provisions of this act and Act Number 390, H. 986, 1975 Regular Session, said Act Number 390, H. 986, 1975 Regular Session shall prevail."

The adoption of the above and foregoing Executive Amendment will remove my objections from this bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor to the Bill, H. B. 1518, by a vote of a majority of the whole number elected to the House, said votes being: Yeas 82, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 78, Nays 0.

And said Bill, H. 1518, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. McMillan, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 1518, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 1518, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 1070. Relating to the 14th Judicial Circuit; to provide for an additional Circuit Judge in such Circuit; defining his jurisdiction, powers, rights and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 1070, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 1070

1. Amend Senate Bill 1070 by deleting Section 1 in its entirety and substituting therefor the following:

Section 1. There is hereby created an additional judgeship for the 14th Judicial Circuit of Alabama. Such additional judgeship shall be established on the first Monday after the second Tuesday in January, 1976, and shall be designated Judgeship No. 3. The judge for such additional judgeship shall be appointed by the Governor within 10 days after the effective date of this Act, and shall hold office from the date provided herein until the next general election in accordance with Article VI, Sections 158 and 159 of the Constitution of Alabama. The judge for the additional judgeship shall be elected thereafter as other circuit judges in the state.

2. Further amend the bill by striking in Section 2, line 32, the word elected and substituting therefor the word appointed.

3. Further amend the bill by deleting Section 7 in its entirety and substituting therefor the following:

Section 7. This Act shall become effective February 1, 1976.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Pearson, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—27

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 638. An act relating to the development of small businesses; declaring the legislative intent to encourage state purchases from small businesses; requiring the Alabama Development office to assist small businesses and to otherwise coordinate activities relating thereto; providing that a meaningful percentage of state purchases and contracts be procured from small businesses; providing for interagency cooperation; providing for public hearings; requiring an annual report; authorizing appointment of an advisory council; providing an effective date.

having been reconsidered and postponed earlier in the day, was again taken up.

On motion of Mr. Perloff, the Senate reconsidered the vote by which the Bill, H. B. 638, was ordered to its third reading.

Mr. Perloff then offered the following amendment to the Bill, H. B. 638, to-wit:

AMENDMENT TO H. B. 638

Amend House Bill 638 by deleting the words Alabama Development Office wherever they appear and insert in lieu thereof the words Department of Industrial Relations office.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

—0

And said Bill, H. B. 638, as thus amended, was again read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

—0

The Bill:

H. 1764. To amend Section 46 of Act No. 414, Acts of Alabama of 1959, page 1073, known as the "Alabama Business Corporation Act," by adding at the end of the second paragraph thereof the following: "Provided, however, if a corporation is engaged in the business of banking,

its books and records of account and minutes relating to the private financial affairs of borrowers and depositors shall not be subject to examination by such a stockholder or by his agent or attorney in the absence of an order of a court of competent jurisdiction, after inspection of such books and records of account and minutes in camera, that such examination is necessary; and said order shall be subject to review in the Supreme Court of Alabama on writ of mandamus. Provided further that if a corporation is engaged in the business of banking, its said books and records of account and minutes shall be deemed not to include any reports of examination by state or federal supervisory agencies"; to provide that the provisions of this act are severable; and to provide an effective date.

was taken up.

Mr. Baker offered the following amendment to the Bill, H. B. 1764, to-wit:

AMENDMENT TO H. B. 1764

Amend H. B. 1764 as follows:

On page 2, line 27, between the words "depositors" and "shall" insert the following:

who are neither officers, directors or employees of the bank nor who are related to or engaged in business with an officer, director or employee.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

— 25

Nays:

— 0

And said Bill, H. B. 1764, as thus amended, was then read a third time at length and passed.

Yeas 16; Nays 4.

Yeas:

Messrs. Adams, Baker, Ellis, Gilmore, Givhan, Jones, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Powell, Vacca, Wilson.

— 16

Nays: Messrs. Edwards, King, Stewart, Waldrop.

— 4

The Bill:

H. 507. To amend Section 5 of Act No. 37, H. 175, 1962 Extraordinary Session (Acts of 1962, p. 88; now appearing in Code of Alabama, Recompiled 1958, Title 51, Section 188 (14)), entitled "An Act To raise revenue; to levy an excise tax on account of the use, storage or consumption in the State of Alabama of certain utility services; to prescribe the rates thereof and exclusions therefrom; to provide the

method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all laws in conflict with this Act;" so as to exclude electricity used or consumed in the isotopic enrichment of uranium from taxation under the provisions of the act.

was taken up.

Mr. Adams offered the following amendment to the Bill, H. B. 507, to-wit:

AMENDMENT TO H. 507

In the title on line 19 and on line 20 and in Section 1 on line 32 and on line 33, strike out the figures "1962" and insert in lieu thereof in each of the above-noted places the figures: 1969

Further amend H. 507, page 3, line 24 by adding the following words before the period:

and when said electricity is purchased from a subsidiary corporation of the corporation engaged in the isotopic enrichment of uranium.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 507, as thus amended, was then read a third time at length and passed.

Yeas 17; Nays 1.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Foshee, Gilmore, Givhan, King, Little, McMillan, Mims, Mitchell, Noonan, Pearson, Perry, Powell, Vacca.

—17

Nay: Mr. Stewart.

—1

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1075. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the

procedures for the issuing of licenses; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

Also:

H. 658. To amend Section 25 of Act No. 1, Regular Session 1945 (Acts of Alabama 1945, p. 1), by increasing the permit fee for oil and gas wells and to regulate further the disposition and use of such permit fees.

Also:

H. 113. To provide for and regulate absentee voting in primary, general, special and municipal elections; prescribing penalties for violations of the Act; repealing conflicting laws and specifically repealing Act No. 424, H. 351, Regular Session 1949 (Acts 1949, page 601) and all acts amendatory and supplemental thereto.

Also:

H. 1243. Relating to Mobile County; providing for the reapportionment of the Mobile County Board of School Commissioners to consist of five members elected from the House Districts or portions thereof which are located within the boundaries of Mobile County; providing for election and length of term for the new commissioners.

Also:

H. 1194. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama which section provides for the issuance of revenue bonds by a board of water and sewer commissioners, by changing the rate of interest that such bonds may bear.

Also:

H. 1373. To exempt waterworks boards now or hereafter organized under the provisions of Act No. 175 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 1489. To amend a portion of Section 3, Act No. 1948, H. 1151, Acts of Alabama, 1971, Regular Session, page 3146, approved September 20, 1971.

Also:

H. 600. Relating to the profession and practice of optometry; defining the practice and profession of optometry; providing for the licensing, examination, and regulation of optometrists; abolishing the State Board of Optometry; creating the Alabama Board of Optometry, and prescribing its powers, duties and authority; providing for the issuance of temporary licenses, limited licenses, licenses, license certificates and annual registration certificates, and prescribing the qualifications of persons to practice optometry; providing for the collection and disbursement of examination and other fees and charges; authorizing the Alabama Board of Optometry to examine applicants for licenses and license certificates, and to issue and deny licenses, and to conduct hearings and to initiate legal proceedings to impose sanctions

against licensees for violating the provisions of this act; and providing for the enforcement of the act and prescribing penalties for violations thereof; repealing Chapter 11 of Title 46, Code of Alabama (1940) and any other laws which conflict with this act.

Also:

H. 390. Proposing an amendment to Article 4, Section 106 of the Constitution of Alabama to dispense with the requirement of spreading notice and proof of local legislation on the journals of each house by providing that the Clerk of the House or the Secretary of the Senate shall merely certify in the appropriate journal that notice and proof was attached to the local legislation and is attached as a matter of public record to the original copy of the bill filed in the Department of Archives and History.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1472. To further amend Section 5 of Act No. 21, H. 28, 1969 Extraordinary Session (Acts of 1969, p. 46; now appearing in Code of Alabama, Recompiled 1958, Title 51, Section 188 (5)), as amended, entitled "An Act To raise revenue; to levy a privilege or license tax against certain persons and utilities on account of the furnishing of certain utility services; to prescribe the rates thereof and exclusions therefrom; to provide for issuance of a utility license; to provide the method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all laws in conflict with this Act;" so as to exclude gross sales and gross receipts derived from electricity used or consumed in a process for the isotopic enrichment of uranium and certain other uses.

was taken up.

Mr. Adams offered the following amendment to the Bill, H. B. 1472, to-wit:

AMENDMENT TO H. 1472

Amend H. 1472, page 3, line 25 by adding the following words before the period:

when said electricity is furnished by a subsidiary corporation of the corporation engaged in said isotopic enrichment of uranium

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perry, Powell, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 1472, as thus amended, was then read a third time at length and passed.

Yeas 18; Nays 4.

Yeas:

Messrs. Adams, Baker, Ellis, Fine, Foshee, Gilmore, Givhan, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Perloff, Powell, St. John, Torbert, Vacca.

—18

Nays: Messrs. King, Little, Stewart, Waldrop.

—4

The Bill:

H. 66. To require the granting, under certain circumstances, of either overtime pay or compensatory leave to law enforcement officers in the service of the state.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Pearson, Perloff, Powell, St. John, Stewart, Vacca, Waldrop.

—24

Nays:

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The Bill:

H. 571. Pursuant to provisions of Section 155, Article VI of the Constitution of Alabama as amended (Section 6.16 of Amendment CCCXXVIII, proclaimed December 27, 1973), this bill creates and provides for Supernumerary-Retired Probate Judges in counties having a population of 300,000 and over, according to the last or any subsequent federal census, similar to and equal with provisions of law for Circuit Judges in such counties, and provides for continuation of service; creates and establishes the Probate Judges Retirement Fund in such counties for the purpose of providing for the payment of retirement and disability benefits for such judicial officers; prescribing the qualifications, term, duties, powers, authority, compensation and benefits of any such county Supernumerary-Retired Probate Judge of such counties; providing for payment of contributions into such fund by any eligible probate judge and for payments out of the county general fund or from fees and commissions

collected by the probate court and paid into the county general fund. It provides for carrying out the provisions of this Act, and regulates the administration and supervision thereof.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 571, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 571

Amend House Bill 571 in Section 5 by deleting the figure "600,000" and adding in lieu thereof the figure "300,000".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 571, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Roberts, Shelby, Stewart.

—25

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gafford:

H. J. R. 430. CREATING AN INTERIM COMMITTEE TO STUDY THE TAX STRUCTURE OF THE STATE OF ALABAMA AND THE DISTRIBUTION OF TAX REVENUES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to study the tax structure of the State of Alabama and the distribution of tax revenues. Such committee shall be composed of seven members of the House of Representatives including the

Chairman of the Ways and Means Committee. The Speaker of the House, who shall also be a member of the study Committee, shall appoint the five remaining members of the House of Representatives. The interim study committee shall be composed of six members of the Senate including the Chairman of the Finance and Taxation Committee. The President of the Senate, who shall also be a member of the study committee, shall appoint the four remaining members of the Senate. The chairman of the committee shall be chosen by the members. Should the Speaker of the House or the President of the Senate not choose to serve as an ex officio member of the committee, they may designate someone in their respective legislative body to serve in their stead.

It shall be the duty of the committee to study particularly the existing provisions of the Code of Alabama respecting the tax structure of the state and the disbursement of the revenue derived from such taxes; and to make recommendations for adequate legislation to sufficiently finance state agencies and existing programs from tax revenues. The study committee shall work with the Governor's Office, the Legislative Fiscal Officer and his staff, and with all department heads who shall cooperate with the committee.

The study committee shall have authority to employ secretarial assistance and research assistance. The members of the committee shall receive the same pay, per diem and travel expenses that is received when the legislature is in session. The committee shall report their findings, recommendations, and suggested legislation to the legislature by the tenth legislative day of the 1976 Regular Session. The study committee shall be funded from monies appropriated to the use of the legislature for such purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 430, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Callahan, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCorquodale, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith

(M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt.

H. J. R. 438. CONGRATULATING MR. AND MRS. BILL BAYLEY AND THEIR STAFF ON THE WONDERFUL SEAFOOD SUPPER THEY PREPARED FOR THE LEGISLATURE AND THE LEGISLATIVE STAFF.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Roberts, the Rules were suspended and the Resolution, H. J. R. 438, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 43. To provide for the reopening of the Employees' Retirement System of Alabama to those employees who were in service on October 1, 1974, who declined membership at the time of establishment, and to those who have non-membership service but who later joined the Employees' Retirement System; also reopens said System to employees who were in service on October 1, 1974, who have creditable service for which they are ineligible to gain credit for reasons other than non-membership; also to provide a redetermination of benefits for members retired prior to October 1, 1975; and further to provide for necessary and proper appropriations.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 500. To provide salary increases for certain state employees; and to appropriate funds therefor.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1547. Relating to the First Judicial Circuit; providing for an additional circuit court judge in such circuit, and providing for the designation of judgeships upon the expiration of existing terms of office;

and provides for the maintenance of an office for circuit judges in Clarke County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 616

The Senate proceeded to further consideration of the Bill, H. B. 616. The question was on the motion of Mr. Baker that further consideration be postponed until 11:45 tonight.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1804. This Act shall be known as the "Alabama Catfish Marketing and Consumer Act of 1975"; allow for the orderly marketing and easy consumer identification in the retail market place of catfish products produced or processed in the State of Alabama; and for related purposes.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Fine, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, St. John, Vacca, Waldrop, Wilson.

—21

Nays:

—0

The Bill:

H. 383. To provide that all contracts of insurance or policies of

insurance or plans or agreements for health services issued or delivered in this State shall cover and include the services of Chiropractors.

Was read a third time at length and passed.

Yeas 21; Nays 2.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Givhan, Jones, King, Little, McDonald (A), Mims, Mitchell, Noonan, Pearson, St. John, Vacca, Wilson.

—21

Nays: Messrs. McMillan, Shelby.

—2

The Bill:

H. 556. To amend Section 6, as amended, and Section 7 of Act No. 27, S. 30, Regular Session 1949 [Acts 1949, p. 39-42 now appearing in Code of Alabama, Recompiled 1958, Title 55, Sections 133 (1) and 140 (1) [entitled "An Act To prescribe further regulations governing the publication of the acts and journals of the Legislature; imposing additional duties upon the Secretary of the Senate, the Clerk of the House, and Legislative Reference Service, and prescribing penalties for neglect of duty; superseding Sections 125, 126, 127, 129, 130, 131, 133, 134, 140, 141, 142, 143, and 144 of Title 55 of the Code of Alabama (1940)"] so as to change certain procedures relating to the printing, publication and distribution of the acts and journals of the legislature and to repeal conflicting statutes.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Roberts, St. John, Shelby, Stewart.

—21

Nays:

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The Bill:

H. 1684. Relating to the sale of agricultural liming materials; to regulate the manufacture, sale and distribution of agricultural lime or liming materials by requiring such manufacturers, distributors or sellers thereof to obtain an annual permit from the Commissioner of Agriculture and Industries, prescribing the fee therefor; requiring such product to be labeled; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; to levy an inspection fee upon agricultural liming materials based upon the sale thereof; providing for the assessment and payment of monetary penalties where agricultural liming materials are deficient pursuant to standards or requirements as fixed by the State Board of Agriculture and Industries; other administrative and enforcement provisions including a penalty for

violations of this Act; to repeal Article 22 of Chapter 1 of Title 2 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Foshee, Givhan, Jones, King, McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Vacca, Wilson.

—18

Nays:

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The Bill:

H. 1433. To regulate and promote the public health and to bring the laws of Alabama into conformity with PL-93-641, the "National Health Planning and Resources Development Act of 1974" (42 USC 300-k, et. seq.); designate the State Board of Health as the state health planning and development agency; authorizes the State Board of Health to develop and adopt a State Health Plan and a State Medical Facilities Plan, and do such functions that may be necessary to that purpose and to facilitate state health planning policy, augment areawide and State planning for health services, manpower, and facilities; authorize the State Board of Health to administer the State's health care facility construction and development program; to promulgate and adopt rules, regulations and standards for the health planning and health care facilities construction and development programs. Part 1 of the Act designates the State Board of Health as the sole and official state planning and development agency; authorizes the State Board of Health to establish such internal bureaus and divisions, with professional staffs, as may be necessary to carry out the Act; and, authorizes and empowers the State Board of Health to adopt rules, regulations and standards governing health planning and health care facility construction, and to provide for fair hearings. Part 2 designates the State Board of Health as the sole and official state agency to prepare and adopt a State Health Plan; establishes and sets forth the membership and powers of a Statewide Health Coordinating Council; defines the functions of Health Services Agencies; authorizes the cooperation of the state officials and agencies; and authorizes the State Board of Health to receive and administer funds for health planning. Part 3 names the State Board of Health as the sole and official state agency to receive and administer funds for the health care facilities construction program; authorizes the state Board of Health to prepare and adopt a Medical Facilities Plan; authorizes the construction and operation of public hospitals and health centers; authorizes the State Board of Health to receive federal, state and other funds for hospital construction and to contract for health care facilities construction; authorizes the acquisition and disposition of property.

Was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, McDonald (A), Mims, Noonan, Pearson, Perloff, St. John, Stewart, Vacca.

—19

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 86. To amend Title 52, Section 41, as amended, Code of Alabama 1940, which relates to the appointment, term, qualifications and salary of the State Superintendent of Education so as to raise the top annual salary that can be paid to the State Superintendent of Education and provides that the State Board of Education may enter into a contract with the State Superintendent of Education for his services for a period not to exceed four years.

Also:

S. 92. To provide for the enactment of and make Alabama a party to the Southern Growth Policies Agreement.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 38. To provide for the transfer to the Teachers' Retirement System of Alabama of all janitors, maids, cafeteria workers, and any other full time employees in public education covered under Section 12 of Act No. 515 of the 1945 Act, as amended, regardless of in what manner or on what basis paid; To provide for the eligibility and mandatory enrollment in the Teachers' Retirement System of Alabama of all persons hereafter assuming full time employment in public education; to provide for a six month period from the effective date of this Act in which any person in any of the aforementioned classifications who are not now members of the Employees' Retirement System under Section 12 of Act No. 515 of the 1945 Act, as amended, may decline to become a member of the Teachers' Retirement System by filing a written notice. Provide for credit of service prior to effective date of this Act for any persons in a hereinabove named classification who are not members of the Employees' Retirement System; And further to provide for necessary and proper appropriations to carry out the purpose of this Act.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs. Adams, Baker, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, McMillan, Mims, Mitchell, Pearson, Perloff, Powell, St. John, Stewart, Vacca, Waldrop.

—20

Nays:

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The Bill:

H. 40. To further amend Section 364 of Title 52 of the Code of Alabama 1940, as amended, which relates to credit for military service and to provide for necessary and proper appropriations to carry out the provisions of this Act.

Was read a third time at length and passed.

Yeas 21; Nays 1.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, McMillan, Mims, Mitchell, Pearson, Perloff, Powell, St. John, Stewart, Torbert, Vacca.

—21

Nay: Mr. Waldrop.

—1

The Bill:

H. 334. To authorize the sale and issuance of not exceeding \$9,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving mental health facilities, including security medical facilities for persons requiring security during treatment, and a seed technology center and a seed processing facility; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds therefrom.

was taken up.

Mr. Foshee offered the following amendment to the Bill, H. B. 334, to-wit:

AMENDMENT TO H. B. 334

Amend House Bill No. 334, Page 7, Line 23, by adding the following new section 10 to said bill and renumbering the remaining sections of said bill in correct sequence thereafter;

"Section 10. The expenses of issuance of the bonds shall be prorated among the recipients of the proceeds of the sale of the bonds in the proportions of the bonds received by each recipient.

"Each building constructed wholly or in part with any portion of the proceeds of the bonds shall be constructed pursuant to plans and specifications approved by the Technical Staff of the Building Commission, or any agency that may be designated by the Legislature as its successor, and the costs of architectural and supervisory services shall be construed to constitute construction costs."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Wilson.

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Nays:

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Mr. Foshee then offered the following amendment to the Bill, H. B. 334, as amended, to-wit:

AMENDMENT TO H. B. 334

Amend House Bill No. 334, Page 7, Line 19, by adding the following new section 9 to said bill and by renumbering the remaining sections of said bill in correct sequence thereafter;

“Section 9. The proceeds derived from the sale of the bonds in the amount of six million dollars (\$6,000,000) shall be placed into the State Treasury and after payment therefrom on order of the Commission of the pro rata share of the expenses incidental to the authorization, preparation and issuance of the bonds, the balance remaining shall be disbursed on order of the Board of Corrections of the State of Alabama solely for the purpose of acquisition, construction and equipment of capital improvements, including, without limitation a facility or facilities for the housing, training, education or rehabilitation of prisoners.”

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Torbert, Wilson.

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Nays:

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Mr. Foshee then offered the following amendment to the Bill, H. B. 334, as amended, to-wit:

AMENDMENT TO H. B. 334, AS AMENDED

Amend House Bill No. 334, Page 2, Line 15, by striking the figure \$9,000,000 and inserting the figure \$15,000,000.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Pearson, Roberts, St. John, Stewart, Torbert, Vacca.

—21

Nays:

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Mr. Foshee then offered the following amendment to the Bill, H. B. 334, as amended, to-wit:

AMENDMENT TO H. B. 334, AS AMENDED

Amend House Bill No. 334, Page 1, Line 25, by striking the caption in its entirety and substituting in lieu thereof the following:

“To authorize the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving mental health facilities, including security medical facilities for persons requiring security during treatment, and a seed technology center and a seed processing facility and for the purpose of acquiring, constructing, and equipping a facility or facilities for the housing, training, education or rehabilitation of prisoners; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds therefrom.”

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca.

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Nays:

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And said Bill, H. B. 334, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Noonan, Owen, Pearson, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

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Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration.

By Mr. Holley:

H. J. R. 421. CREATING AN INTERIM COMMITTEE TO STUDY THE FORMULAE FOR THE DISTRIBUTION OF FUNDS TO THE STATE UNIVERSITIES, JUNIOR COLLEGES AND TRADE SCHOOLS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to study the distribution of funds to the state universities, junior colleges and trade schools and related matters pertaining thereto. Such committee shall be composed of five members of the House of Representatives, to be appointed by the Speaker of the House and three members of the Senate, to be appointed by the President of the Senate. The committee shall meet as soon as practicable after the approval date of this resolution and select a chairman from among its members. It shall meet at such subsequent time or times upon the call of the chairman. The committee shall be limited to 15 meeting days and shall make a report of its findings to the legislature on the first day of the 1976 Regular Session and dissolve forthwith. On days when the committee meets the compensation, travel expenses and per diem paid each member shall be the same as is currently paid for sessions of the legislature which shall be paid out of any funds appropriated to the use of the legislature on warrants drawn on the state comptroller upon requisition signed by the committee's chairman.

It shall be the duty of the committee to study the existing provisions and formulae for the distribution of funds to the state universities, junior colleges, and trade schools, to ascertain the correctness of the head count and fulltime equivalency of both day and night students that said institutions submit for determining the distribution of funds.

The committee shall have authority to pursue any information from state institutions. The committee shall have subpoena power.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 421, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

POINT OF PERSONAL PRIVILEGE

Mr. Jones stated that had he been present when the vote was taken on passage of the Bills, H. B.'s 38 and 40, he would have voted "Aye".

BILLS ON THIRD READING RESUMED

The Bill:

H. 335. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding a total of \$9,000,000 principal amount of General Obligation Bonds of the State of Alabama of which \$7,000,000 shall be for the acquisition, construction, equipment and improvement of mental health facilities, including security medical facilities for persons requiring security during

treatment, and \$2,000,000 shall be for the acquisition, construction, equipment and improvement of a seed technology center and a seed processing facility.

was taken up.

Mr. Foshee offered the following amendment to the Bill, H. B. 335, to-wit:

AMENDMENT TO H. B. 335

Amend House Bill No. 335, Page 2, Line 22, by inserting after the following on line 22 "and a foundation seed processing facility at Headland, Alabama." the following sentence "Of the proceeds derived from the sale of said bonds \$6,000,000 shall be used for the purpose of paying the interest incurred in the sale and issuance of said bonds and for acquisition, construction and equipment of capital improvements, including, without limitation a facility or facilities for the housing, training, education and rehabilitation of prisoners."

Further amend House Bill No. 335, Page 2, Line 5, by striking from Section 1 thereof the figure \$9,000,000 and inserting in lieu thereof the figure \$15,000,000.

Further amend House Bill No. 335, Page 1, Line 32, by striking the period at the end of the caption and by adding a comma and thereafter the following words "and \$6,000,000 shall be for the acquisition, construction and equipment of capital improvements, including, without limitation a facility or facilities for the housing, training, education or rehabilitation of prisoners."

Further amend H. B. 335, Page 1, Line 25, by striking from the Caption the figure \$9,000,000.00 and inserting in lieu thereof the figure \$15,000,000.00.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 335, as thus amended, was then read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 1.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

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Nay: Mr. Baker.

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Glass:

H. J. R. 439. ENJOINING THE LEGISLATURE TO CONSIDER THE APPROPRIATION BILLS EARLY IN THE NEXT REGULAR SESSION, AND IF SUCH BILLS HAVE NOT BEEN PASSED BY THE TWENTIETH LEGISLATIVE DAY, TO TAKE SUCH BILLS UP IMMEDIATELY AFTER THE CALL OF THE DISTRICTS ON THE 21ST LEGISLATIVE DAY AND EACH DAY THEREAFTER UNTIL THEY ARE ENACTED.

WHEREAS the stalemate in the current session of the Legislature of Alabama, caused by dickering over the general appropriation and the appropriation for education is causing much concern among the people of this state, and particularly hampering planning for the schools of the state for the coming year and also the planning and arrangements for the normal and essential functions of the state government for the next year; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature hereby pledges itself to tackle and endeavor to solve the problems of financing the state government and education as early in the next regular session as possible.

BE IT FURTHER RESOLVED That if an education appropriation bill and a general appropriation bill have not been passed by the two houses by the end of the 20th legislative day of such session, that these two bills will be taken up immediately after the call of the districts on the 21st legislative day and they shall from day to day each day thereafter be taken up at the same time until they are enacted.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 439, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 818. To make an appropriation from the Special Educational Trust Fund for the relief of Henry V. Schmidt.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 616. To provide that the annual sessions of the legislature shall commence on the last Tuesday in March of each of the first three years of the term of office of the legislature and on the third Tuesday in January of the fourth year of said term.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. King, the Senate non-concurred in the following House amendment to the Bill, S. B. 616, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 616

A BILL TO BE ENTITLED AN ACT

To provide that the annual sessions of the legislature shall commence on the first Tuesday in February of each year.

Be It Enacted by the Legislature of Alabama:

Section 1. The annual sessions of the Alabama Legislature shall commence on the first Tuesday in February of each year, commencing in the year 1976.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

HOUSE AMENDMENT TO SUBSTITUTE FOR S. B. 616

Amend substitute for Senate Bill 616 on page 1, line 23, by striking out the figure 1976 and inserting in lieu thereof 1978.

HOUSE AMENDMENT TO SUBSTITUTE FOR S. B. 616

Amend the substitute for Senate Bill 616, page 1, line 23 by striking the figures 1978 and inserting in lieu thereof the figures 1977.

and requested a Committee on Conference.

Yeas 25; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (S), McMillan, Mims, Noonan, Pearson, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

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Nay: Mr. McDonald (A).

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And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. King, Baker and Little.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 925. To authorize any county in the state to acquire any water works plant or distribution system owned by a municipality or public corporation within such county and to assume any indebtedness connected therewith; to authorize any municipality in the state to sell or convey any such water works plant or water distribution system, or both, to the county in which the system is located, upon the assumption of any indebtedness connected therewith, without an election; and to require publication of a notice with respect thereto.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 616

The Senate proceeded to further consideration of the Bill:

H. 616. To provide for a retirement system for the sheriffs of the various counties within the state.

The question was on the motion of Mr. Baker that further consideration of the Bill be postponed until 11:45 this evening.

On motion of Mr. St. John, the motion to postpone was laid on the table.

Mr. St. John then offered the following amendment to the Bill, H. B. 616, as amended, to-wit:

AMENDMENT TO H. B. 616, AS AMENDED

Amend House Bill No. 616, Page one Line 19, by doing the following:

Add the words "or former sheriff" after the word "sheriff" on line 19 of page one.

Also, add on page 2 at the end of Section 4, the following sentence: "However, this act is permissive in nature and the governing body of said county may decline to make such payments. In such event the full amount of any contributions made shall be paid back to the eligible sheriff."

Also in Section 5, add at the end thereof the following:

Provided that in the event that an elected official's retirement system should hereafter be established by law, any official elected after the establishment of such retirement system who otherwise would have been covered by the provisions of this act shall automatically be subject to the provisions of such retirement system as a matter of law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Jones, King, Little, Littleton, McDonald (S), Mitchell, Noonan, Owen, Pearson, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 616, as thus amended, was then read a third time at length and passed.

Yeas 17; Nays 5.

Yeas:

Messrs. Adams, Bank, Clemon, Fine, Givhan, Jones, Little, Mims, Mitchell, Noonan, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Waldrop.

—17

Nays:

Messrs. Baker, Edwards, Ellis, Gilmore, McMillan.

—5

BILLS ON THIRD READING RESUMED

The Bill:

H. 1160. To amend the title and further amend Sections 1, 3, 4 and 5 of Act No. 755, 1967 Regular Session (Acts of Alabama 1967, Vol. II, p. 1609), as amended, entitled "To provide Supernumerary Tax Collectors, Tax Assessors, License Commissioners, or other elected officials charged with the assessment and/or collection of any ad valorem taxes in the various counties of the State of Alabama; describing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and providing for the payment of their salaries," so as to provide further for the requirements, qualifications and compensation for such Supernumerary Tax Collectors, Tax Assessors and License Commissioners, or other elected officials charged with the assessment and/or collection of any ad valorem taxes in this state, in the various counties of the State of Alabama having a population of less than 600,000 inhabitants.

was taken up.

Mr. Noonan offered the following amendment to the Bill, H. B. 1160, to-wit:

AMENDMENT TO H. 1160

Amend H. 1160 as follows:

On page 4, amend Section 2, line 3, by striking the figure 75% and inserting in lieu thereof the figure 65%.

Renumber the present "Section 5" so that it will be Section 6 and insert immediately before said section a new Section 5 which shall read as follows:

Section 5. In the event that an elected official's retirement system should hereafter be established by law, any official elected after the establishment of such retirement system who otherwise would have been covered by the provisions of this act shall automatically be subject to the provisions of such retirement system as a matter of law.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill:

H. 1917. To provide for creation of a permanent joint highway committee of the Legislature to facilitate and coordinate a long-range program of highway development in the state, to empower said committee to review and approve long-range (20-year) highway development plans, review annual plans for highway construction, modification, maintenance and administration and annual budgets for the State Highway Department, which plans and budgets shall be submitted to said committee by the State Highway Department; to empower said committee to review priorities for all highway construction and modification projects under jurisdiction of the State Highway Department, to inspect performance of state highway functions, to conduct hearings, call witnesses and employ consultants, and to do all things necessary or desirable in connection with and incidental to the foregoing functions, and to require that all highway legislation be referred to said committee for its recommendations and approval.

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a Message from the Governor concerning House Bill Number 1917, and containing suggested Executive Amendments.

Respectfully Submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 9th DAY OF OCTOBER, 1975.

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 1971 without my signature and approval and with the following suggested Executive Amendments.

It is my suggestion that you amend the title by deleting the words "and approve" where the same appears on page 1, line 25.

It is my further recommendation that you amend Section 1 by deleting the word "approval" on page 2, line 24, and substituting in lieu thereof the word "consideration".

It is my further suggestion that you amend Section 3 (a) on page 4, line 7, by deleting the words "and approve"; and also striking the word "approve", where the same appears on line 11 of said subsection, and substituting in lieu thereof the word, "recommend".

I further suggest that you amend Section 3 (c) by deleting the words "and approve", where the same appears on line 17, page 4; and also strike the word "approved" where the same appears on line 19 of said subsection, and substitute in lieu thereof the word "reviewed".

I also suggest that you amend Section 3 (d) by deleting, in its entirety, the first sentence of said subsection beginning on line 21, and ending on line 24 of page 4.

I recommend that you amend Section 3(e) by striking the words "appropriate committees of the Senate and the House of Representatives" where the same appears on line 29, page 4, and substituting in lieu thereof the word "Governor".

The adoption of the above and foregoing Executive Amendments will remove my objections to this bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. 1917 by a vote of a majority of the whole number elected to the House, said vote being: Yeas 86, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 87, Nays 0.

And said Bill, H. 1917, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Torbert, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 1917, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 18; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Foshee, Jones, McMillan, Mims, Mitchell, Pearson, Perloff, Perry, Shelby, Stewart, Torbert, Vacca, Wilson.

—18

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 1917, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Foshee, Jones, McMillan, Mims, Mitchell, Pearson, Perloff, Perry, Shelby, Stewart, Torbert, Vacca, Wilson.

—18

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 571. Pursuant to provisions of Section 155, Article VI of the Constitution of Alabama as amended (Section 6.16 of Amendment CCCXXVIII, proclaimed December 27, 1973), this bill creates and provides for supernumerary-retired probate judges in counties having a population of 300,000 and over, according to the last or any subsequent federal census, similar to and equal with provisions of law for Circuit Judges in such counties, and provides for continuation of service; creates and establishes the Probate Judges Retirement Fund in such counties for the purpose of providing for the payment of retirement and disability benefits for such judicial officers; prescribing the qualifications, term, duties, powers, authority, compensation and benefits of any such county Supernumerary-Retired Probate Judge of such counties; providing for payment of contributions into such fund by any eligible probate judge and for payments out of the county general fund or from fees and commissions collected by the probate court and paid into the county general fund. It

provides for carrying out the provisions of this Act, and regulates the administration and supervision thereof.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 821. Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the selection, appointment, term of office and compensation of the additional two members.

said Conference Report being in words and figures as follows:

REPORT OF THE CONFERENCE COMMITTEE

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, House Bill 821, have met and considered the matter referred and beg leave to report as follows:

Substitute House Bill 821 is attached and we recommend its passage.

ROBERT T. CROWE,

EDWARD D. ROBERTSON,

JOEL FOLMAR,

Conferees on the part of the House

FRED R. JONES,

MASTIN MIMS,

C. C. TORBERT,

Conferees on the part of the Senate

SUBSTITUTE FOR H. B. 821

A BILL TO BE ENTITLED AN ACT

Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the selection, appointment, term of office and compensation of the additional two members.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the existing members of the State Personnel Board the Governor shall appoint, from a list of names submitted to him by the Alabama State Employees Association, two

additional members of said board who shall serve two year terms, one of which shall be a member of a minority race. The Alabama State Employees shall at their annual convention in March, 1976, select the names of six persons from which the Governor shall make his first two appointments, and annually thereafter at each annual convention the names of the three persons to be submitted to the Governor under the provisions of this Act. Provided that these persons need not be members of the Alabama State Employees Association and all state employees shall be eligible to vote in said elections. The President of the Alabama State Employees Association shall forthwith submit said list of names to the Governor who shall make his selection within 30 days from the receipt of said list by his office.

The term of office of the two additional members of the State Personnel Board appointed under the provisions of this Act shall begin on the first of the month next succeeding their selection by the Governor and they shall serve two year terms or until their successors are selected and appointed, provided however that the first appointments made shall be one year for one member and two years for the second member. In the event any member of the State Personnel Board appointed under the provisions of this Act shall die, resign or become incapacitated before the expiration of his term of office, his successor shall be immediately named by the Governor from among a list of three names of merit system state employees submitted by the president of the Alabama State Employees Association.

Any person appointed under the provisions of this act shall receive the same expenses provided for other members of the Board, but no additional compensation, other than their regular pay as state employees. Any person appointed under the provisions of this Act shall be carried on administrative leave when attending meetings of the Board.

All other provisions of law relating to members of the State Personnel Board that do not conflict with the provisions of this Act shall apply to the two members appointed hereunder, except that both members may be appointed from the same congressional district, or the same congressional district of any other member of the Board.

Section 2. The board shall adopt and implement a written affirmative action plan to insure equal opportunity of employment in all facets of its activities.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

Mr. Jones moved that the Senate concur in the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 821, the title of which and said Conference Report are set out in the foregoing Message from the House.

Mr. Gilmore offered a substitute motion that the Senate non-concur in the Conference Committee Report, which motion was adopted.

Yeas 11; Nays 10.

Yeas:

Messrs. Bank, Ellis, Fine, Gilmore, McMillan, Mitchell, Noonan, Perry, Shelby, Stewart, Vacca.

— 11

Nays:

Messrs. Adams, Clemon, Edwards, Jones, King, Little, Mims, Pearson, Powell, Waldrop.

— 10

MOTION TO DISCHARGE CONFERENCE COMMITTEE

Mr. Owen stated that the conferees appointed to reconcile the differences between the two Houses on the Senate amendments to the Bill, H. B. 489, were unable to reach an agreement. Mr. Owen therefore moved that the Conference committee be discharged and a new Conference committee be appointed, which motion was adopted.

And the President and Presiding Officer of the Senate appointed as new conferees on part of the Senate Messrs. Fine, Foshee and Owen.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 300. To amend Act No. 37, H. 175, Special Session 1969 (Acts 1969, p. 88) as amended and as also appearing as Title 51, Sections 188 (10)-188 (18), Code of Alabama, 1940, which relates to the levy of a service use tax on utilities, so as to exclude public schools including all institutions of higher education, junior colleges and trade schools of this state from the provisions of said act.

Also:

S. 307. To make unlawful the selling of certain game fish caught or taken from any of the fresh waters of this or any other state, providing certain exceptions and prescribing the penalty for violations.

Also:

S. 409. To create an additional Judgeship of the Twenty-Second Judicial Circuit, to be designated Circuit Judge Number Two; to provide for his appointment and election, jurisdiction, powers, duties, authority, and qualifications; to render him liable to all the pains and penalties of other Circuit Judges of the State of Alabama; and to provide for and fix the salary of such Judge.

Also:

S. 576. To amend Section 19 of Title 51 of the Code of Alabama 1940 to provide for capital improvements and maintenance at the Confederate Memorial Park located at Mountain Creek, Chilton County, thereby indicating respect for the resting place of valiant Confederate soldiers.

Also:

S. 683. To further amend Act Number 753 approved September 12, 1969, creating The Alabama Constitutional Commission.

Also:

S. 901. Relating to the Twenty-Fifth Judicial Circuit; providing for an additional circuit judge in such circuit.

Also:

S. 704. To provide for eligibility of Supernumerary District Attorneys by amending Section 1 of Act No. 1873, S. 255, 1971 Regular Session, Acts 1971, p. 3053 [(now appearing in Code of Alabama Recompiled 1958, Title 13, Section 260 (11b)), as amended.

Also:

S. 102. To amend Section 1 of Act No. 1515, H. 37, 1971 Regular Session [Acts of 1971, p. 2629; now appearing in Code of Alabama, Recompiled 1958, Title 8, Section 30 (1)], entitled "To provide for the cost of and establish the procedure for obtaining an annual resident state hunting license"; so as to provide for the issuance of a permanent lifetime hunting license for all residents over 65 years of age at no cost and upon the payment of nominal issuance fee; repealing Act No. 546, S. 437, 1965 Regular Session [Acts of 1965, p. 796; now appearing in Code of Alabama, Recompiled 1958, Title 8, Section 31 (1)].

Also:

S. 308. To designate the Largemouth Bass as the official fresh water fish of Alabama.

Also:

S. 772. To provide for a treatment program for persons suffering from hemophilia and related diseases, and the administration therefor; and appropriating \$300,000 from the Special Education Trust Fund for the purposes of this act.

Also:

S. 400. To implement the new Judicial Article of the Alabama Constitution (Amendment No. 328 approved December 18 1973); by establishing a unified judicial system for the state; by establishing a new

state court of limited jurisdiction to be known as the District Court of Alabama, having uniform jurisdiction, procedures and costs; by authorizing the establishment of municipal courts having uniform jurisdiction, procedures and costs; by providing that the state bear the cost of personnel and operation of the circuit and district courts; by making appropriations for the payment of salaries, pensions and other costs of the unified judicial system, except the courts of probate and municipal courts; by amending various sections of the Alabama Code of 1940 and subsequent statutes as required to make effective the unified judicial system. The contents of this Act are organized as follows:

The judicial authority of the state is vested in a unified system; amending Section 1 of title 13 of the Code of Alabama, 1940, to reflect constitutional provisions.

The jurisdiction of the circuit court and powers of presiding circuit judges are described with amendments to the Code of Alabama reflecting the new court structure; presiding circuit judge has general supervision of judges and other officers; circuit court has jurisdiction of appeals from municipal and district courts.

Repeals sections 157, 158, 159, 179, 180 and 181 of title 13 of the Code of Alabama, 1940; amends sections 115, 123, 172 of the Code of Alabama, 1940.

Provision is made for probate judges' election to come under the judicial retirement act; amount of benefits specified.

The district court established; effective January 16, 1977; civil and criminal jurisdiction; number of judges and places of holding court; election, compensation and retirement of district judges; provision for primary and secondary system of trials; uniform traffic ticket procedure; preliminary hearing jurisdiction; use of magistrates; district attorney responsible for prosecution; provision for a district court within geographic bounds constituting a district, designating places within districts where court must be held; transfer of cases from present county and other courts; jurisdiction of civil cases up to five thousand dollars (\$5,000.00); special docket for small claims up to five hundred dollars (\$500.00); jurisdiction of involuntary commitment cases, if transferred from probate court; jurisdiction of juvenile cases; exclusive criminal jurisdiction in misdemeanor cases except those in municipal courts; authority to receive guilty pleas in all felonies not involving death penalty.

Repeals sections 313, 314, 315-341, 345, 346, 349 and 384-406 of title 13 of the Code of Alabama, 1940; repeals Act No. 764, approved September 17, 1953; and Act No. 535, approved January 1, 1954.

Jurisdiction of juvenile cases placed in district court; civil, criminal and delinquency procedures and rules regarding juveniles established; age of juveniles revised; appointment of referees; probation services; advisory boards; scope of jurisdiction; delinquency, custody, commitment, child abuse, offenses against children, paternity, desertion and non-support; investigations and complaints; court custody, detention and shelter care; transfer to criminal court; right to counsel; disposition of neglected and delinquent children; guardians ad litem; confidentiality of records; adult offenses; and appeals.

Repeals sections 350-383 of title 13 and sections 239, 252 (a8), 252 (a9), 252 (a10), 252 (a11), 252 (a12), 252 (a13), 252 (a14), 252 (a15) and 252 (a16) of title 45 of the Code of Alabama, 1940.

Providing for security and protection of judicial facilities; advisory and standing committees; court facilities; travel expenses of appellate court personnel; publishing and construction of rules; coordination and use of appropriations; voluntary diminution of compensation; use of special judges; provisions for senior associate justices to perform duties of chief justice when chief justice unable to act; supernumerary justices or judges and their dependents' rights and benefits; additional permanent duties for designated district court judges; procedure when bill introduced to increase or decrease number of judges or change boundaries of circuit or district; and local legislation affecting the judiciary.

Provision for phased assumption by the state of employment and compensation of personnel of district and circuit courts, beginning October 1, 1977; protection of local retirement rights of county employees transferred to state; compensation of circuit clerks; employee benefits for transferred personnel; positions of confidential secretaries for judges and clerks and bailiffs for judges; court reporters and referees; office of register abolished when present positions become vacant; compensation of registers; court reporters compensation; and supernumerary clerks and registers.

Establishment of municipal courts with uniform jurisdiction, procedures and costs; procedures for abolition of municipal courts by municipalities, transfer of jurisdiction to district court, and apportionment of fines; procedures for re-establishment of municipal courts; appointment and qualification of municipal judges; bail on personal recognizance, fines, jail, suspended sentence, probation; appeals to circuit court; arrest and search warrants; and use of magistrates.

Repeals sections 582-600 of title 37 of the Code of Alabama, 1940; repeals Act No. 403, approved August 16, 1965; Act No. 665, approved September 6, 1961; and Act No. 1108, approved September 12, 1969.

Provision for the presiding circuit judge to administer the indigent defense system; allows local option regarding type defense services provided; establishes an advisory indigent defense commission in each circuit; authorizes establishment of a public defender system in any circuit, paid by the state; and provides for compensation of appointed counsel by the state.

Repeals a portion of section 2 of Act No. 2421, approved October 1, 1971; and amends section 1 of Act No. 2420, approved October 1, 1971.

Probation services conformed to unified court system; provides maximum probation period of five years for felonies and two years for misdemeanors, and for termination of probation.

Amends sections 19, 23 and 24 of title 42 of the Code of Alabama, 1940.

Defines the duties and authority of administrative director of courts as assistant to chief justice as administrative head of judicial system; provides for personnel policies; provides for the attendance by judges and personnel of judicial system at educational conferences and meetings; provides for study and supervision of programs relating to the administration of justice, and coordination and use of judicial funds from appropriations and grants by the director.

Provides for authority to administer oaths and require testimony and

production of records by judicial compensation commission established by the Constitution; and provides for payment of expenses of the commission.

Provides per diem compensation for members of judicial inquiry commission who are not judges in amount of one-half of one percent of annual salary paid by the state to circuit judges.

Provides for expenses of the court of the judiciary and reporter.

Provides for representation of district, municipal and probate judges on judicial conference; amending Act No. 118, approved January 12, 1972.

Provides for assumption by the state of expenses of district and circuit courts, phased over three fiscal years; provides that counties continue to be responsible for construction, maintenance and operation of courtrooms and facilities, and for transfer of title to equipment and furniture to the state; establishes uniform fees and court costs in circuit and district courts; provides for distribution of fees, costs, and fines between state and municipality.

Repeals sections 1, 10, 11, 13, 18-26, 34, 38, 40-43, 55, 59-63, 65, 67, 72-76, 81-83, 85, 86, 89-91, 96, 97, 100-102 and 112 of title 11 of the Code of Alabama, 1940; repeals Act No. 742, approved September 23, 1957; Act No. 58, approved June 1, 1945; section 1 of Act No. 741, approved September 23, 1957; sections 1 and 2 of Act No. 570, approved September 16, 1963; Act No. 311, approved July 28, 1949; section 1 of Act No. 575, approved July 7, 1943; Act No. 573, approved July 7, 1943; Act No. 413, approved July 7, 1945; Act No. 483, approved July 7, 1945; and Act No. 177, approved July 21, 1947; amends sections 2-4, 6, 7, 35-37, 39, 56, 57, 64, 92-95, 98, 104-108, 110 and 113 of title 11 of the Code of Alabama, 1940; and amends section 2 of Act No. 625, approved September 4, 1951; and a portion of section 2 of Act No. 2421, approved October 1, 1971.

Provides for state appropriations for Act.

Provides for severability of provisions of Act in proper case; repealer of existing laws inconsistent with Act; and establishes effective date of Act where individual articles or sections do not establish such, and of individual articles or sections.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 43. To provide for the reopening of the Employees' Retirement System of Alabama to those employees who were in service on October 1,

1974, who declined membership at the time of establishment, and to those who have non-membership service but who later joined the Employees' Retirement System; also reopens said System to employees who were in service on October 1, 1974, who have creditable service for which they are ineligible to gain credit for reasons other than non-membership; also to provide a redetermination of benefits for members retired prior to October 1, 1975; and further to provide for necessary and proper appropriations.

Also:

H. 500. To provide salary increases for certain state employees; and to appropriate funds therefor.

Also:

H. 1547. Relating to the First Judicial Circuit; providing for an additional circuit court judge in such circuit, and providing for the designation of judgeships upon the expiration of existing terms of office; and provides for the maintenance of an office for circuit judges in Clarke County.

Also:

H. 63. To amend Section 1 of Act No. 515, HB 93, approved July 9, 1945 (General Acts 1945, p. 734) as amended (Title 55, Section 456, Code of Alabama 1940, Recompiled 1958, and as amended), which relates to the Employees' Retirement System of Alabama; so as to provide that the "average final compensation" used to calculate a member's retirement benefit will be based upon the three (3) years, rather than the five (5), of the final ten (10) years of membership service in which earnable compensation is highest. To also provide for the redetermination of all retirement allowance payments due on or after October 1, 1975, to members who retire prior to said date. Also to provide for necessary and proper appropriations to carry out the provisions of this Act.

Also:

H. 476. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Also:

H. 271. To make appropriations for the support and maintenance of the Walker County Junior College located at Jasper, in Walker County.

Also:

H. 584. To make appropriation for the support and maintenance of the Tuskegee Institute located in Macon County for the next fiscal year.

Also:

H. 457. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Also:

H. 488. To make appropriations for the support and maintenance of Talladega College.

Also:

H. 198. To amend further Section 366 of Title 52 of the Code of

Alabama 1940, as amended, which relates to the Teachers' Retirement System of Alabama, so as to provide for 2.0125% formula in calculating retirement benefits and to provide for the removal of the 80% of average final compensation restriction on retirement benefits; also provides for a redetermination as of October 1, 1975; also provides for a clarification of the corporate powers of the Retirement Systems of Alabama; and further provides for necessary and proper appropriations.

Also:

H. 199. To provide that in the event Section 366 of Title 52 of the Code of Alabama 1940, as amended, provides, at the time this Act becomes effective, that the formula factor for computing teachers' retirement benefits shall be 2.0125%, then any retired teacher and/or any teacher who retires hereafter, who does not receive a 15% net gain in retirement benefits by operation of the formula increase, shall receive an additional amount which shall be sufficient, when added to result in a "post-formula increase" net gain in benefits equal to, but not exceeding, 15% of such member's prior benefit entitlements; also to provide for all necessary and proper appropriations.

Also:

H. 97. In addition to any law or part of any law contained and appearing in Chapter 14 of Title 52 of the Code of Alabama 1940, as amended, which relates to the Teachers' Retirement System of Alabama, to provide for the retirement under the Teachers' Retirement System of any teacher, regardless of age, who is a member of the Teachers' Retirement System, and, who has thirty years of creditable service; also provides for a clarification of the corporate powers of the Retirement Systems of Alabama; and to provide for necessary and proper appropriations.

Also:

H. 1562. To amend Act No. 168, H. 270, Special Session 1966 (Acts 1966, p. 190), which act creates the Alabama Historical Commission, so as to provide further for the employment by the said commission of certain personnel.

Also:

H. 1778. To make a conditional appropriation from the general fund of the State Treasury to the Alabama Historical Commission of the sum of Five Hundred Thousand (\$500,000.00) to be used for the purpose of fully restoring Fort Toulouse and to develop the Fort Toulouse Complex.

Also:

H. 1184. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 383. To provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this State shall cover and include the services of Chiropractors.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 507. To amend Section 5 of Act No. 37, H. 175, 1969 Extraordinary Session (Acts of 1969, p. 88; now appearing in Code of Alabama, Recompiled 1958, Title 51, Section 188 (14)), entitled "An Act To raise revenue; to levy an excise tax on account of the use, storage or consumption in the State of Alabama of certain utility services; to prescribe the rates thereof and exclusions therefrom; to provide the method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all laws in conflict with this Act;" so as to exclude electricity used or consumed in the isotopic enrichment of uranium from taxation under the provisions of the act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1472. To further amend Section 5 of Act No. 21, H. 28, 1969 Extraordinary Session (Acts of 1969, p. 46; now appearing in Code of Alabama, Recompiled 1958, Title 51, Section 188 (5)), as amended, entitled "An Act To raise revenue; to levy a privilege or license tax against certain persons and utilities on account of the furnishing of certain utility services; to prescribe the rates thereof and exclusions therefrom; to provide for issuance of a utility license; to provide the method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all laws in conflict with this Act;" so as to exclude gross sales and gross receipts derived from electricity used or consumed in a process for the isotopic enrichment of uranium and certain other uses.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate bill:

S. 616. To provide that the annual sessions of the legislature shall commence on the last Tuesday in March of each of the first three years of the term of office of the legislature and on the third Tuesday in January of the fourth year of said term.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Smith (M), Carothers and Callahan.

JOHN W. PEMBERTON,
Clerk.

REPORT OF CONFERENCE COMMITTEE

To the Members of the Legislature:

We, your conferees, appointed to reconcile the differences between the two houses on the House Substitute for Senate Bill 616, as amended, beg leave to report as follows:

We recommend that both houses pass the Substitute, as amended, and that the Substitute be further amended as follows:

Delete Section 1 in its entirety and substitute in lieu thereof the following:

"Section 1. The annual sessions of the Alabama Legislature shall commence on the last Tuesday of March of each year of the first three years of the term of office of the Legislature and on the third Tuesday in January of the fourth year of said term commencing in the year 1977."

TED LITTLE,
BILL KING,
JOHN BAKER,
Conferees on the part of the Senate

MONROE SMITH,
H. L. CALLAHAN,
JOE CAROTHERS,

Conferees on the part of the House

CONFERENCE REPORT

Mr. King moved that the Senate concur in and adopt the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 616. To provide that the annual sessions of the legislature shall commence on the last Tuesday in March of each of the first three years of the term of office of the legislature and on the third Tuesday in January of the fourth year of said term.

Mr. Perloff offered a substitute motion that the Senate non-concur in the Conference Committee Report. On motion of Mr. King, the motion to non-concur was laid on the table.

Yeas 17; Nays 3.

Yeas:

Messrs. Adams, Baker, Edwards, Ellis, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), Mims, Noonan, St. John, Shelby, Torbert, Vacca, Waldrop.

—17

Nays: Messrs. Perloff, Powell, Stewart.

—3

The question was then on the motion that the Senate concur in the Conference Committee Report, which motion was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Givhan, Jones, King, Littleton, McDonald (A), McMillan, Mims, Mitchell, Perry, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Smith (B):

H. J. R. 441. CREATING A JOINT INTERIM STUDY COMMITTEE TO STUDY LAWS PERTAINING TO THE RULES OF THE ROAD AND VEHICULAR TRAFFIC.

WHEREAS, there is a great need for a joint interim committee to

study laws pertaining to the rules of the road and vehicular traffic in this State; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a Joint Interim Committee to be composed of 4 members of the House and 4 members of the Senate to be appointed by the presiding officer of each House. The members of the committee shall elect from among their membership a chairman and vice-chairman. The committee shall study all facets, problems, and details of laws which pertain to the rules of the road and vehicular traffic in the State of Alabama. Upon the request of the Chairman, the Secretary of the Senate and the Clerk of the House shall provide such secretarial assistance as is necessary for the committee work. The committee shall limit its meetings to no more than 15 days. The committee shall report its findings, conclusions and recommendations to the legislature not later than the 10th Legislative day of the 1976 Regular Session, whereupon the committee shall be dissolved. Each member of the committee shall be entitled to his regular legislative compensation, per diem and travel expenses only on those days he actually attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, on warrants drawn upon the State Comptroller upon requisition signed by the committee chairman.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 441, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 430. CREATING AN INTERIM COMMITTEE TO STUDY THE TAX STRUCTURE OF THE STATE OF ALABAMA AND THE DISTRIBUTION OF TAX REVENUES.

Also:

H. J. R. 438. CONGRATULATING MR. AND MRS. BILL BAYLEY AND THEIR STAFF ON THE WONDERFUL SEAFOOD SUPPER THEY PREPARED FOR THE LEGISLATURE AND THE LEGISLATIVE STAFF.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1488. To provide that the Shelby County Commission is authorized to provide an additional expense allowance to certain county officers.

Also:

H. 803. To amend Sections 6, 7 and 10 of Act No. 727, H. 1714, 1973 Regular Session (Acts of 1973, p. 1086) relating to Bibb County so as to provide further for the method of compensation of the probate judge and his assistants, the assistants of the circuit clerk and to change the effective date as to the probate judge and his assistants to July 1, 1975.

Also:

H. 1684. Relating to the sale of agricultural liming materials; to regulate the manufacture, sale and distribution of agricultural lime or liming materials by requiring such manufacturers, distributors or sellers thereof to obtain an annual permit from the Commissioner of Agriculture and Industries, prescribing the fee therefor; requiring such product to be labeled; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; to levy an inspection fee upon agricultural liming materials based upon the sale thereof; providing for the assessment and payment of monetary penalties where agricultural liming materials are deficient pursuant to standards or requirements as fixed by the State Board of Agriculture and Industries; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 22 of Chapter 1 of Title 2 of the Code of Alabama of 1940.

Also:

H. 556. To amend Section 6, as amended, and Section 7 of Act No. 27, S. 30, Regular Session 1949 [Acts 1949, p. 39-42 now appearing in Code of Alabama, Recompiled 1958, Title 55, Sections 133 (1) and 140 (1) [entitled "An Act To prescribe further regulations governing the publication of the acts and journals of the Legislature; imposing additional duties upon the Secretary of the Senate, the Clerk of the House, and Legislative Reference Service, and prescribing penalties for neglect of duty; superseding Sections 125, 126, 127, 129, 130, 131, 133, 134, 140, 141, 142, 143, and 144 of Title 55 of the Code of Alabama (1940)"] so as to change certain procedures relating to the printing, publication and distribution of the acts and journals of the legislature and to repeal conflicting statutes.

Also:

H. 1804. This Act shall be known as the "Alabama Catfish Marketing and Consumer Act of 1975"; allow for the orderly marketing and easy consumer identification in the retail market place of catfish products produced or processed in the State of Alabama; and for related purposes.

Also:

H. 66. To require the granting, under certain circumstances, of either overtime pay or compensatory leave to law enforcement officers in the service of the state.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1278. Relating to Lawrence County; to provide that a certain percentage of the proceeds accruing to the Alabama Department of Aeronautics from any rental or lease agreement covering certain lands in said county shall be deposited to the Lawrence County general fund; requiring all such leases to be let on a competitive bid basis.

Also:

H. 1518. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24A and to strike Sections 17, 18, 19 and 20 of Act No. 96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) which relates to the establishment of an inferior court in Jefferson County known as the Civil Court of Jefferson County.

Also:

H. 1866. Relating to DeKalb County; authorizing the DeKalb County Commission to levy an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 1018. Relating to elections; to define "primary elections"; to provide party may choose to come under law; to define "political party"; to define the term "total vote"; to provide which elections are within the law; to provide for the date of elections; allows party to elect convention delegates by presidential preferential primary; to provide for party committees and their election; to provide for payment of expenses of primary elections; to provide method of filing declaration of candidacy and require party chairmen to certify such candidates; to require candidates to be eligible to hold office; to provide for public notice to election; to establish who may vote in primary; to allow parties to assess fees against candidates; to allow candidates to nominate election officers and provides for oath of said officers; to provide for official ballots and election stationery; to provide for ballot boxes and voting machines to be used; to provide official form of ballot; provides method of challenging voters; to provide regulations for handling challenged ballots; to provide methods of casting votes; to provide for poll watchers; to provide for assistance to voters unable to read English; to provide duties of sheriff; to provide time of counting ballots; to provide for disposition of ballots, lists and supplies; to require public proclamation of the result; to provide for tabulation and declaration of results by precinct; to provide for declaration of candidate or nominee; to provide for date of second primary; to provide for breaking tie votes; to provide for certification of nominees to probate judge; to provide for filling vacancies in nominations; to provide for method, time and place of mass meetings; to provide penalties for violation of mass meeting law; and to repeal Code of Alabama 1940, Title 17, Chapter 2.

And said bill as thus amended by the report of the Committee on Conference was again read at length and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Fine, further consideration of all Bills remaining on the Senate Calendar, with the exception of H. B. 489, was indefinitely postponed by the Senate.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 86. To amend Title 52, Section 41, as amended, Code of Alabama 1940, which relates to the appointment, term, qualifications and salary of the State Superintendent of Education so as to raise the top annual salary that can be paid to the State Superintendent of Education and provides that the State Board of Education may enter into a contract with the State Superintendent of Education for his services for a period not to exceed four years.

Also:

S. 628. To authorize and provide for the payment out of the county treasury of pension or retirement allowances, under certain circumstances, to judges of the county court in any county in the Sixth Judicial Circuit.

Also:

S. 1036. To create an additional judgeship for the Sixth Judicial Circuit of Alabama and provide for the election, term, compensation, powers, duties and authority of such judge.

Also:

S. 1070. Relating to the 14th Judicial Circuit; to provide for an additional Circuit Judge in such Circuit; defining his jurisdiction, powers, rights and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

Also:

S. 92. To provide for the enactment of and make Alabama a party to the Southern Growth Policies Agreement.

Also:

S. 301. To amend Act No. 21, H. 28, Special Session 1969 (Acts 1969, p. 46) as amended and as also appearing as Title 51, Sections 188 (1) - 188 (9), Code of Alabama, 1940, which relates to the levying of a gross receipts tax on utilities, so as to exclude public schools including but not limited to all institutions of higher learning, junior colleges, and trade schools of this state from the provisions of said act.

Also:

S. 306. To amend Section 5 of Act No. 266, Acts of Alabama, 1961 Special Session, p. 2282, so as to provide what shall constitute prima facie evidence of spear fishing.

Also:

S. 315. To amend Sections 3, 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an Act "To authorize the State of Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that all of Lake Guntersville State Park be operated by the State the first three years; and to authorize negotiation of concession contracts under certain conditions; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate.

Also:

S. 322. To provide a uniform issuance fee for all licenses sold by the Game and Fish Division of the Department of Conservation and Natural Resources; to make it unlawful to charge more than the fee authorized herein; and to provide a penalty.

Also:

S. 354. To amend Act No. 224, S. 68 of the Regular Session of 1965 (Acts of 1965, p. 315), entitled "An Act To require that those buildings and facilities constructed in the state by the use of state, county or municipal funds shall adhere to the principles prescribed by this Act, so as to make these buildings and facilities accessible to and usable by the physically handicapped," so as to eliminate the detailed specifications and standards from the law, and to authorize the state fire marshal to prescribe and adopt standards and specifications for the buildings, premises and facilities to which this Act applies, which will make such buildings, premises, and facilities accessible to and functional for the physically handicapped; to authorize and provide for the granting of waivers of particular standards or specifications under certain circumstances and for such purposes amending Sections 1 and 10 of said Act and repealing Sections 4 through 9, inclusive, of such Act.

Also:

S. 712. To amend Section 401, Title 51 of Code of Alabama 1940, so as to define further, gross income of a corporation which adopts a plan of complete liquidation in accordance with Section 337 of the Internal Revenue Code of the United States, and to amend Code of Alabama Title 33, Section 9 relative to filing notice of a tax lien under the provisions of federal law.

Also:

S. 845. To authorize every municipality in the State of Alabama and certain public corporations to transfer and convey, without an election, any gas system or part thereof, now or hereafter owned by such municipality or public corporation to any utility corporation subject to regulation by the Alabama Public Service Commission; to require prior approval by the said Commission of any such transfer and conveyance and of the terms thereof; to require that any such transfer and conveyance be made for not less than fair market value as determined by the said Commission; and to require prior approval, by each municipality which authorized, consented to, or made determinations prerequisite to the incorporation of a particular public corporation, of any such transfer or conveyance by such public corporation.

Also:

S. 925. To authorize any county in the state to acquire any water works plant or distribution system owned by a municipality or public corporation within such county and to assume any indebtedness connected therewith; to authorize any municipality in the state to sell or convey any such water works plant or water distribution system, or both, to the county in which the system is located, upon the assumption of any indebtedness connected therewith, without an election; and to require publication of a notice with respect thereto.

Also:

S. 1018. Relating to elections; to define "primary elections"; to provide party may choose to come under law; to define "political party"; to define the term "total vote"; to provide which elections are within the law; to provide for the date of elections; allows party to elect convention delegates by presidential preferential primary; to provide for party committees and their election; to provide for payment of expenses of primary elections; to provide method of filing declaration of candidacy and require party chairmen to certify such candidates; to require candidates to be eligible to hold office; to provide for public notice to election; to establish who may vote in primary; to allow parties to assess fees against candidates; to allow candidates to nominate election officers and provides for oath of said officers; to provide for official ballots and election stationery; to provide for ballot boxes and voting machines to be used; to provide official form of ballot; provides method of challenging voters; to provide regulations for handling challenged ballots; to provide methods of casting votes; to provide for poll watchers; to provide for assistance to voters unable to read English; to provide duties of sheriff; to provide time of counting ballots; to provide for disposition of ballots, lists and supplies; to require public proclamation of the result; to provide for tabulation and declaration of results by precinct; to provide for declaration of candidate or nominee; to provide for date of second primary; to provide for breaking tie votes; to provide for certification of nominees to probate judge; to provide for filling vacancies in nominations; to provide for method, time and place of mass meetings; to provide penalties for violation of mass meeting law; and to repeal Code of Alabama 1940, Title 17, Chapter 2.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 158. MOURNING THE DEATH OF FORMER SENATOR L. L. "DAGO" DOZIER.

Also:

S. J. R. 161. CREATING A JOINT INTERIM COMMITTEE TO STUDY THE PERMANENT FINANCING OF JEFFERSON COUNTY HEALTH DEPARTMENT AND TRANSIT AUTHORITY.

E. C. FOSHEE,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1764. To amend Section 46 of Act No. 414, Acts of Alabama of 1959, page 1073, known as the "Alabama Business Corporation Act," by adding at the end of the second paragraph thereof the following: "Provided, however, if a corporation is engaged in the business of banking, its books and records of account and minutes relating to the private financial affairs of borrowers and depositors shall not be subject to examination by such a stockholder or by his agent or attorney in the absence of an order of a court of competent jurisdiction, after inspection of such books and records of account and minutes in camera, that such examination is necessary; and said order shall be subject to review in the Supreme Court of Alabama on writ of mandamus. Provided further that if a corporation is engaged in the business of banking, its said books and records of account and minutes shall be deemed not to include any reports of examination by state or federal supervisory agencies"; to provide that the provisions of this act are severable; and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 638. An act relating to the development of small businesses; declaring the legislative intent to encourage state purchases from small businesses; requiring the Department of Industrial Relations office to assist small businesses and to otherwise coordinate activities relating thereto; providing that a meaningful percentage of state purchases and contracts be procured from small businesses; providing for interagency cooperation; providing for public hearings; requiring an annual report; authorizing appointment of an advisory council; providing an effective date.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1183. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation of debt of the state; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 334. To authorize the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving mental health facilities, including security medical facilities for persons requiring security during treatment, and a seed technology center and a seed processing facility and for the purpose of acquiring, constructing, and equipping a facility or facilities for the housing, training, education or rehabilitation of prisoners; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds therefrom.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 335. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding a total of \$15,000,000 principal amount of General Obligation Bonds of the State of Alabama of which \$7,000,000 shall be for the acquisition, construction, equipment and improvement of mental health facilities, including security medical facilities for persons requiring security during treatment, and \$2,000,000 shall be for the acquisition, construction, equipment and improvement of a seed technology center and a seed processing facility, and \$6,000,000 shall be for the acquisition, construction and equipment of capital improvements, including, without limitation a facility or facilities for the housing, training, education or rehabilitation of prisoners.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 668. To amend Act No. 1116, Acts of Alabama 1969 Regular Session, page 2054, approved September 12, 1969 entitled: Relating to crimes and offenses; defining certain crimes relative to credit cards, including offenses relative to obtaining, possessing, using, dealing in, forging, signing and providing goods and services upon presentation of a credit card; prescribing certain presumptions and proscribing certain defenses relative to the crimes hereby defined; prescribing penalties; and providing that this act is cumulative.

Also:

S. 525. To amend Section 8 of Act No. 1277, H. 1345, 1973 Regular Session (Acts of 1973, p. 2181), entitled "An Act To authorize Alabama Public School and College Authority to sell and issue one hundred seventy-nine million, nine hundred twenty-one thousand dollars (\$179,921,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, including colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt

from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority of Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof," so as to provide further for the use and distribution of the bond proceeds.

Also:

S. 635. To amend Section 224, Article 12 of the Constitution of 1901, so as to raise the debt limit to provide that no county shall become indebted in an amount including present indebtedness, greater than five percentum of the assessed value of the property therein.

Also:

S. 382. To authorize the establishment of a security medical facility under the jurisdiction of the Alabama Mental Health Board; to establish sources and procedures for admission to said facility; and to provide for the charges for the cost of treatment.

Also:

S. 688. To provide for the creation of a Criminal Justice Advisory Commission; to provide for the membership and function of the Commission; and to make an appropriation to defray the expenses of the Commission.

Also:

S. 660. A bill relating to the practice of Veterinary medicine and surgery which provides for permits to veterinarians for animal technicians; for the examination and registration of animal technicians; for the payment of examination and registration fees; and which prescribes penalties for violation of the Act; and further providing annual educational requirements for veterinarians with exceptions for certain licensees; and further by amending Section 18 of Act No. 945 of the Regular Session of the Legislature 1951, which relates to the expenses of the Board members.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill:

H. 1075. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to

set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you, a Message from the Governor relative to House Bill Number 1075, and containing a suggested Executive Amendment.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 9th DAY OF OCTOBER, 1975.

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

At the request of the sponsor, I am returning to you, the Body in which it originated, House Bill Number 1075 without my signature and approval and with the following suggested Executive Amendment.

It is suggested that you amend House Bill Number 1075 by amending Section 1 by deleting the words "including Phalaynges and Metatarsals" where said words appear following the words "but not the tarsels".

The adoption of the above and foregoing suggested Executive Amendment will remove my objections to this bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. 1075 by a vote of a majority of the whole number elected to the House, said vote being: Yeas 63, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 63, Nays 0.

And said Bill, H. 1075, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Perloff, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 1075, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Foshee, Gilmore, Givhan, King, Littleton, McMillan, Mims, Noonan, Pearson, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—24

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 1075, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Foshee, Gilmore, Givhan, King, Littleton, McMillan, Mims, Noonan, Pearson, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—24

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 696. Relating to the commitment of mentally ill persons to the custody of the State Department of Mental Health; prescribing the procedures for the involuntary commitment of mentally ill persons, prescribing the duties and responsibilities of all persons and departments concerned with the commitment of mentally ill persons; providing for the rights of persons sought to be committed as mentally ill; providing for the payment of costs of proceedings for the commitment of mentally ill persons; providing for appeal to circuit court by persons committed as mentally ill; prescribing the jurisdiction of the probate court in regard to persons committed as mentally ill; providing for the transfer of mentally ill persons to facilities operated by the United States; and repealing conflicting laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bank, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 696, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO SENATE BILL 696

Amend Section 11 by deleting the words "county governing body" on line 15 and inserting in lieu thereof the following words, "State General Fund."

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, St. John, Shelby, Torbert.

—25

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 487. Providing that the cancelled check shall be proof of payment of claims against an estate; to amend Section 303, Title 61, Code of Alabama 1940, so as to add said provision.

Also:

S. 161. To authorize the County Commission or like governing body of each of the several Counties of the State to join and participate in a National and State Association of County Commissions and to appropriate such funds as it may deem necessary for the maintenance and support of such Association.

Also:

S. 698. Relating to Mental Health, entering the Interstate Compact on Mental Health, providing for proper and expeditious treatment of the mentally ill and mentally deficient by cooperative action with other party states, without regard to the residence or citizenship of the patient.

Also:

S. 762. To provide for the commitment, recommitment or continued custody of any person accused of a crime but not yet tried or convicted and presently committed to the custody of the Department of Mental Health at Bryce or Searcy Hospitals or other facilities designated by the Commissioner of said Department; to require the judges of the courts of the state to remand back to their respective counties all persons in said hospitals or facilities against whom criminal charges have been nolle prossed or otherwise dismissed; to provide for the commitment, recommitment, or continued custody of a person who has been adjudicated "not guilty by reason of insanity" of any crime and who is presently

committed to the custody of the Department of Mental Health at Bryce or Searcy hospitals or other facilities designated by the Commissioner of said Department; to provide for the commitment, recommitment to the custody of the Department of Mental Health from the persons of the state pursuant to the provisions of Title 45, Section 222, 223, and 224 Code of Alabama 1940, as Recompiled 1958, or the transfer back to the prisons under appropriate circumstances; upon application of the Commissioner of the Department of Mental Health or his designee to authorize the governor to appoint one or more special judges of probate for the purpose of considering hearing and making appropriate orders with regard to the commitment, or recommitment or continued custody of such persons; to provide the judicial authority of such special judges of probate; to provide the jurisdiction of such probate courts over such person; to provide the qualifications of such special judges of probate, and to provide an appropriation to carry out the purposes of this Act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 571. Pursuant to provisions of Section 155, Article VI of the Constitution of Alabama as amended (Section 6.16 of Amendment CCCXXVIII, proclaimed December 27, 1973), this bill creates and provides for Supernumerary-Retired Probate Judges in counties having a population of 300,000 and over, according to the last or any subsequent federal census, similar to and equal with provisions of law for Circuit Judges in such counties, and provides for continuation of service; creates and establishes the Probate Judges Retirement Fund in such counties for the purpose of providing for the payment of retirement and disability benefits for such judicial officers; prescribing the qualifications, term, duties, powers, authority, compensation and benefits of any such county Supernumerary-Retired Probate Judge of such counties; providing for payment of contributions into such fund by any eligible probate judge and for payments out of the county general fund or from fees and commissions collected by the probate court and paid into the county general fund. It provides for carrying out the provisions of this Act, and regulates the administration and supervision thereof.

Also:

H. 38. To provide for the transfer to the Teachers' Retirement System of Alabama of all janitors, maids, cafeteria workers, and any other full time employees in public education covered under Section 12 of Act No. 515 of the 1945 Act, as amended, regardless of in what manner or on what basis paid; To provide for the eligibility and mandatory enrollment in the Teachers' Retirement System of Alabama of all persons hereafter assuming full time employment in public education; to provide for a six month period from the effective date of this Act in which any person in any of the aforementioned classifications who are not now members of the Employees' Retirement System under Section 12 of Act No. 515 of the 1945 Act, as amended, may decline to become a member of the Teachers' Retirement System by filing a written notice. Provide for credit of service prior to effective date of this Act for any persons in a hereinabove named

classification who are not members of the Employees' Retirement System; And further to provide for necessary and proper appropriations to carry out the purpose of this Act.

Also:

H. 40. To further amend Section 364 of Title 52 of the Code of Alabama 1940, as amended, which relates to credit for military service and to provide for necessary and proper appropriations to carry out the provisions of this Act.

Also:

H. 1433. To regulate and promote the public health and to bring the laws of Alabama into conformity with PL-93-641, the "National Health Planning and Resources Development Act of 1974" (42 USC 300-k, seq.); designate the State Board of Health as the state health planning and development agency; authorizes the State Board of Health to develop and adopt a State Health Plan and a State Medical Facilities Plan, and do such functions that may be necessary to that purpose and to facilitate state health planning policy, augment areawide and State planning for health services, manpower, and facilities; authorize the State Board of Health to administer the State's health care facility construction and development program; to promulgate and adopt rules, regulations and standards for the health planning and health care facilities construction and development programs. Part 1 of the Act designates the State Board of Health as the sole and official state planning and development agency; authorizes the State Board of Health to establish such internal bureaus and divisions, with professional staffs, as may be necessary to carry out the Act; and, authorizes and empowers the State Board of Health to adopt rules, regulations and standards governing health planning and health care facility construction, and to provide for fair hearings. Part 2 designates the State Board of Health as the sole and official state agency to prepare and adopt a State Health Plan; establishes and sets forth the membership and powers of a Statewide Health Coordinating Council; defines the functions of Health Services Agencies; authorizes the cooperation of the state officials and agencies; and authorizes the State Board of Health to receive and administer funds for health planning. Part 3 names the State Board of Health as the sole and official state agency to receive and administer funds for the health care facilities construction program; authorizes the State Board of Health to prepare and adopt a Medical Facilities Plan; authorizes the construction and operation of public hospitals and health centers; authorizes the State Board of Health to receive federal, state and other funds for hospital construction and to contract for health care facilities construction; authorizes the acquisition and disposition of property.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1472. To further amend Section 5 of Act No. 21, H. 28, 1969 Extraordinary Session (Acts of 1969, p. 46; now appearing in Code of Alabama, Recompiled 1958, Title 51, Section 188 (5)), as amended, entitled "An Act To raise revenue; to levy a privilege or license tax against certain persons and utilities on account of the furnishing of certain utility services; to prescribe the rates thereof and exclusions therefrom; to provide for issuance of a utility license; to provide the method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all laws in conflict with this Act;" so as to exclude gross sales and gross receipts derived from electricity used or consumed in a process for the isotopic enrichment of uranium and certain other uses.

Also:

H. 507. To amend Section 5 of Act No. 37, H. 175, 1969 Extraordinary Session (Acts of 1969, p. 88; now appearing in Code of Alabama, Recompiled 1958, Title 51, Section 188 (14)), entitled "An Act To raise revenue; to levy an excise tax on account of the use, storage or consumption in the State of Alabama of certain utility services; to prescribe the rates thereof and exclusions therefrom; to provide the method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all laws in conflict with this Act;" so as to exclude electricity used or consumed in the isotopic enrichment of uranium from taxation under the provisions of the act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 657. To provide for compensation for services to patients under insurance coverage, whether rendered by a physician or dentist, so long as the provider acts within the scope of his licensure.

Also:

S. 473. Providing that committees of dentists appointed or formed as Utilization Review and Quality Control Committees, Peer Review

Committees and Professional Standards Review Committees shall not be deemed liable in damages for actions taken or recommendations made when acting in good faith on facts reasonably known to exist.

Also:

S. 659. To amend Sections 1 and 2 of Act No. 399, H. 318, 1967 Regular Session (Acts 1967, p. 1002), and Sections 4 and 7 of Title 51, Code of Alabama 1940, as amended, which relate to applications for exemptions of factories, industries, and plants from ad valorem tax, so as to extend the time for making applications for exemptions for a shorter duration of time.

Also:

S. 670. To require that the name of any person appointed to a position in state government which requires confirmation by either house of the legislature be submitted for confirmation by either house of the legislature before the tenth day of the next regular session; to make any state official liable for the amount of salary he pays to an appointee who is not confirmed.

Also:

S. 1060. To create the Scholarship and Loan Commission of Covington County for the purpose of providing loans and scholarships to persons who plan a career in medicine, and to establish a fund for the fulfillment of the purpose of this Act.

Also:

S. 138. To require every person using, operating or driving a motor vehicle upon or over the roads and highways of the State of Alabama to bring said motor vehicle to a complete stop when approaching a church bus, or other vehicle used in transporting persons to and from church, while said church bus or other vehicle used in transporting persons to and from church is engaged in taking on or discharging passengers and prescribing the penalty for violating the provisions of this act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 616. To provide that the annual sessions of the legislature shall commence on the first Tuesday in February of each year.

And said bill as thus amended by the report of the Committee on Conference was again read at length and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 382. To authorize the establishment of a security medical facility under the jurisdiction of the Alabama Mental Health Board; to establish sources and procedures for admission to said facility; and to provide for the charges for the cost of treatment.

Also:

S. 635. To amend Section 224, Article 12 of the Constitution of 1901, so as to raise the debt limit to provide that no county shall become indebted in an amount including present indebtedness, greater than five percentum of the assessed value of the property therein.

Also:

S. 660. A bill relating to the practice of Veterinary medicine and surgery which provides for permits to veterinarians for animal technicians; for the examination and registration of animal technicians; for the payment of examination and registration fees; and which prescribes penalties for violation of the Act; and further providing annual educational requirements for veterinarians with exceptions for certain licensees; and further by amending Section 18 of Act No. 945 of the Regular Session of the Legislature 1951, which relates to the expenses of the Board members.

Also:

S. 525. To amend Section 8 of Act No. 1277, H. 1345, 1973 Regular Session (Acts of 1973, p. 2181), entitled "An Act To authorize Alabama Public School and College Authority to sell and issue one hundred seventy-nine million, nine hundred twenty-one thousand dollars (\$179,921,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, including colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the said bonds and for the public sale thereof; to make and appropriation and pledge for payment of the principal of and interest on the bonds of proceeds for specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority of Alabama Education Authority or both, and the expenses of

such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof," so as to provide further for the use and distribution of the bond proceeds.

Also:

S. 668. To amend Act No. 1116, Acts of Alabama 1969 Regular Session, page 2054, approved September 12, 1969 entitled: Relating to crimes and offenses; defining certain crimes relative to credit cards, including offenses relative to obtaining, possessing, using, dealing in, forging, signing and providing goods and services upon presentation of a credit card; prescribing certain presumptions and proscribing certain defenses relative to the crime hereby defined; prescribing penalties; and providing that this act is cumulative.

Also:

S. 688. To provide for the creation of a Criminal Justice Advisory Commission; to provide for the membership and function of the Commission; and to make an appropriation to defray the expenses of the Commission.

Also:

S. 161. To authorize the County Commission or like governing body of each of the several Counties of the State to join and participate in a National and State Association of County Commissions and to appropriate such funds as it may deem necessary for the maintenance and support of such Association.

Also:

S. 487. Providing that the cancelled check shall be proof of payment of claims against an estate; to amend Section 303, Title 61, Code of Alabama 1940, so as to add said provision.

Also:

S. 698. Relating to Mental Health, entering the Interstate Compact on Mental Health, providing for proper and expeditious treatment of the mentally ill and mentally deficient by cooperative action with other party states, without regard to the residence or citizenship of the patient.

Also:

S. 762. To provide for the commitment, recommitment or continued custody of any person accused of a crime but not yet tried or convicted and presently committed to the custody of the Department of Mental Health at Bryce or Searcy Hospitals or other facilities designated by the Commissioner of said Department; to require the judges of the courts of the state to remand back to their respective counties all persons in said hospitals or facilities against whom criminal charges have been nolle prossed or otherwise dismissed; to provide for the commitment, recommitment, or continued custody of a person who has been adjudicated "not guilty by reason of insanity" of any crime and who is presently committed to the custody of the Department of Mental Health at Bryce or

Searcy hospitals or other facilities designated by the Commissioner of said Department; to provide for the commitment, recommitment to the custody of the Department of Mental Health from the persons of the state pursuant to the provisions of Title 45, Section 222, 223, and 224 Code of Alabama 1940, as Recompiled 1958, or the transfer back to the prisons under appropriate circumstances; upon application of the Commissioner of the Department of Mental Health or his designee to authorize the governor to appoint one or more special judges of probate for the purpose of considering hearing and making appropriate orders with regard to the commitment, or recommitment or continued custody of such persons; to provide the judicial authority of such special judges of probate; to provide the jurisdiction of such probate courts over such person; to provide the qualifications of such special judges of probate, and to provide an appropriation to carry out the purposes of this Act.

Also:

S. 696. Relating to the commitment of mentally ill persons to the custody of the State Department of Mental Health; prescribing the procedures for the involuntary commitment of mentally ill persons, prescribing the duties and responsibilities of all persons and departments concerned with the commitment of mentally ill persons; providing for the rights of persons sought to be committed as mentally ill; providing for the payment of costs of proceedings for the commitment of mentally ill persons; providing for appeal to circuit court by persons committed as mentally ill; prescribing the jurisdiction of the probate court in regard to persons committed as mentally ill; providing for the transfer of mentally ill persons to facilities operated by the United States; and repealing conflicting laws.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 616. To provide for a retirement system for the sheriffs of the various counties within the state.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Executive amendment to the Bill:

S. 627. To amend Section 14 of Act No. 247, H. 512, Special Session of 1932 (Local Acts of Alabama, Special Session of 1932, p. 98), which act provides for a jury board in Jefferson County so as to allow persons not under twenty-one years and not over seventy years of age to serve as jurors in said county.

by a majority of the whole number elected to the House, said vote being Yeas 68, Nays 0.

And said Bill S. B. 627, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the House, said vote being Yeas 72, Nays 0.

And said Bill S. B. 627, together with the Executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 775. To amend Section 21 of the Professional Corporation Act (Acts of 1971, p. 4524, now appearing in Code of Alabama, Recompiled 1958, Title 46, Section 366), so as to allow a consolidated or merged professional corporation to render both medical and dental services within a single professional corporation.

Also:

S. 542. To further amend Section 49 of Title 36, Code of Alabama (1940) as recompiled, 1958 for the Highway Director to regulate the Test, Approval and Sale of Traffic Sign, Signal and Regulatory Devices used on any street or highway in the State of Alabama.

Also:

S. 553. To prohibit the backing of a vehicle onto a controlled-access highway and prohibits the backing of a vehicle in other places unless the movement can be made safely and without interference with other traffic.

Also:

S. 557. To amend Section 47, Title 36, Code of Alabama, 1940, by requiring the highway department to adopt a manual and specification for a uniform system of traffic control devices and to place such devices on all state highways and by forbidding local authorities from placing traffic control devices on state highways without permission of the highway department.

Also:

S. 768. Relating to the registration of cotton buyers; providing for a registration fee; prohibiting certain acts and providing a penalty; and declaring an emergency.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 131. To amend further the title and Sections 1 and 2 of Act No. 396, H. 289, Regular Session 1957 (Acts 1957, p. 549), providing for uniform gifts to minors so as to redefine the word "court" and to provide for the making of testamentary gifts under such act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 131, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO SENATE BILL 131

Amend Senate Bill 131, Section 1, on page 1, line 34, by striking the words tewnty-one and inserting in lieu thereof the word nineteen.

Further amend Senate Bill 131, Section 1, page 3, line 30, by striking the words twenty-one and inserting in lieu thereof the word nineteen.

Yeas 23; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Givhan, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Powell, Shelby, Stewart, Torbert, Vacca, Wilson.

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Nays:

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REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, had compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 138. To require every person using, operating or driving a motor vehicle upon or over the roads and highways of the State of Alabama to bring said motor vehicle to a complete stop when approaching a church bus, or other vehicle used in transporting persons to and from church, while said church bus or other vehicle used in transporting persons to and from church is engaged in taking on or discharging passengers and prescribing the penalty for violating the provisions of this act.

Also:

S. 473. Providing that committees of dentists appointed or formed as Utilization Review and Quality Control Committees, Peer Review

Committees and Professional Standards Review Committees shall not be deemed liable in damages for actions taken or recommendations made when acting in good faith on facts reasonably known to exist.

Also:

S. 616. To provide that the annual sessions of the legislature shall commence on the first Tuesday in February of each year.

Also:

S. 659. To amend Sections 1 and 2 of Act No. 399, H. 318, 1967 Regular Session (Acts 1967, p. 1002), and Sections 4 and 7 of Title 51, Code of Alabama 1940, as amended, which relates to applications for exemptions of factories, industries, and plants from ad valorem tax, so as to extend the time for making applications for exemptions for a shorter duration of time.

Also:

S. 657. To provide for compensation for services to patients under insurance coverage, whether rendered by a physician or dentist, so long as the provider acts within the scope of his licensure.

Also:

S. 670. To require that the name of any person appointed to a position in state government which requires confirmation by either house of the legislature be submitted for confirmation by either house of the legislature before the tenth day of the next regular session; to make any state official liable for the amount of salary he pays to an appointee who is not confirmed.

Also:

S. 1060. To create the Scholarship and Loan Commission of Covington County for the purpose of providing loans and scholarships to persons who plan a career in medicine, and to establish a fund for the fulfillment of the purpose of this Act.

Also:

S. 542. To further amend Section 49 of Title 36, Code of Alabama (1940) as recompiled, 1958 for the Highway Director to regulate the Test, Approval and Sale of Traffic Sign, Signal and Regulatory Devices used on any street or highway in the State of Alabama.

Also:

S. 557. To amend Section 47, Title 36, Code of Alabama, 1940, by requiring the highway department to adopt a manual and specification for a uniform system of traffic control devices and to place such devices on all state highways and by forbidding local authorities from placing traffic control devices on state highways without permission of the highway department.

Also:

S. 627. To amend Section 14 of Act No. 247, H. 512, Special Session of 1932 (Local Acts of Alabama, Special Session of 1932, p. 98), which act provides for a jury board in Jefferson County so as to allow persons not under twenty-one years and not over seventy years of age to serve as jurors in said county.

Also:

S. 553. To prohibit the backing of a vehicle onto a controlled-access highway and prohibits the backing of a vehicle in other places unless the movement can be made safely and without interference with other traffic.

Also:

S. 768. Relating to the registration of cotton buyers; providing for a registration fee; prohibiting certain acts and providing a penalty; and declaring an emergency.

Also:

S. 775. To amend Section 21 of the Professional Corporation Act (Acts of 1971, p. 4524, now appearing in Code of Alabama, Recompiled 1958, Title 46, Section 366), so as to allow a consolidated or merged professional corporation to render both medical and dental services within a single professional corporation.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 616. To provide for a retirement system for the sheriffs of the various counties within the state.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 334. To authorize the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of

Alabama for the purpose of acquiring, constructing, equipping and improving mental health facilities, including security medical facilities for persons requiring security during treatment, and a seed technology center and a seed processing facility and for the purpose of acquiring, constructing, and equipping a facility or facilities for the housing, training, education or rehabilitation of prisoners; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds therefrom.

Also:

H. 638. An act relating to the development of small businesses; declaring the legislative intent to encourage state purchases from small businesses; requiring the Department of Industrial Relations office to assist small businesses and to otherwise coordinate activities relating thereto; providing that a meaningful percentage of state purchases and contracts be procured from small businesses; providing for interagency cooperation; providing for public hearings; requiring an annual report; authorizing appointment of an advisory council; providing an effective date.

Also:

H. 1764. To amend Section 46 of Act No. 414, Acts of Alabama of 1959, page 1073, known as the "Alabama Business Corporation Act," by adding at the end of the second paragraph thereof the following: "Provided, however, if a corporation is engaged in the business of banking, its books and records of account and minutes relating to the private financial affairs of borrowers and depositors shall not be subject to examination by such a stockholder or by his agent or attorney in the absence of an order of a court of competent jurisdiction, after inspection of such books and records of account and minutes in camera, that such examination is necessary; and said order shall be subject to review in the Supreme Court of Alabama on writ of mandamus. Provided further that if a corporation is engaged in the business of banking, its said books and records of account and minutes shall be deemed not to include any reports of examination by state or federal supervisory agencies"; to provide that the provisions of this act are severable; and to provide an effective date.

Also:

H. 1183. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the

Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

Also:

H. 335. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding a total of \$15,000,000.00 principal amount of General Obligation Bonds of the State of Alabama of which \$7,000,000 shall be for the acquisition, construction, equipment and improvement of mental health facilities, including security medical facilities for persons requiring security during treatment, and \$2,000,000 shall be for the acquisition, construction, equipment and improvement of a seed technology center and a seed processing facility, and \$6,000,000 shall be for the acquisition, construction and equipment of capital improvements, including, without limitation a facility or facilities for the housing, training, education or rehabilitation of prisoners.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 441. CREATING A JOINT INTERIM COMMITTEE TO STUDY LAWS PERTAINING TO THE RULES OF THE ROAD AND VEHICULAR TRAFFIC.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been

publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1075. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1917. To provide for creation of a permanent joint highway committee of the Legislature to facilitate and coordinate a long-range program of highway development in the state, to empower said committee to review long-range (20-year) highway development plans, review annual plans for highway construction, modification, maintenance and administration and annual budgets for the State Highway Department, which plans and budgets shall be submitted to said committee by the State Highway Department; to empower said committee to review priorities for all highway construction and modification projects under jurisdiction of the State Highway Department, to inspect performance of state highway functions, to conduct hearings, call witnesses and employ consultants, and to do all things necessary or desirable in connection with and incidental to the foregoing functions, and to require that all highway legislation be referred to said committee for its recommendations and approval.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been

publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 818. To make an appropriation from the Special Educational Trust Fund for the relief of Harry V. Schmidt.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 782. To authorize full-time employees of the Tannehill Furnace and Foundry Commission to participate in the State Employees' Retirement System and any insurance programs provided for by state employees; to authorize the Tannehill Furnace and Foundry Commission to contribute any monies appropriated them for any purpose to carry out the provisions of this act, and to make payroll deductions from employees salaries.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Gilmore, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 782, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 782

A BILL TO BE ENTITLED AN ACT

To authorize full-time employees of the Tannehill Furnace and Foundry Commission to participate in any insurance programs provided for by state employees; to authorize the Tannehill Furnace and Foundry Commission to contribute any monies appropriated them for any purpose to carry out the provisions of this act, and to make payroll deductions from employees' salaries.

Be It Enacted by the Legislature of Alabama:

Section 1. All full-time employees of the Tannehill Furnace and Foundry Commission shall be treated as state employees for the purpose of participating in any insurance programs provided for state employees.

Section 2. The Tannehill Furnace and Foundry Commission is hereby authorized and empowered to pay the employer's contributions to any such programs out of any funds appropriated to them or available to them for any purpose whatsoever, and it may deduct the employees' contributions for such programs by means of payroll deductions or otherwise from any salary or compensation paid said employees.

Section 3. The provisions of this Act shall become effective October 1, 1975.

Yeas 23; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Powell, St. John, Torbert, Vacca, Waldrop.

—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 421. CREATING AN INTERIM COMMITTEE TO STUDY THE FORMULAE FOR THE DISTRIBUTION OF FUNDS TO THE STATE UNIVERSITIES, JUNIOR COLLEGES AND TRADE SCHOOLS.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Glass:

H. J. R. 440. URGING THE ELIMINATION OF THE AUTOMATIC FUEL ADJUSTMENT ADD-ON ON UTILITY BILLS.

WHEREAS, the House of Representatives of the United States Congress has recently spoken on the question of the automatic fuel adjustment pass-on now authorized for use by utilities in billing their customers, and condemned the practice of allowing this addition to utility bills, saying that it is unfair to the customer and unnecessary as a means of adjusting utility rates; and

WHEREAS, the automatic fuel adjustment pass-on has accounted for two-thirds of the eight-billion-dollar increase in recent years in the price of electricity; and

WHEREAS, the fact that a utility can automatically add the increased cost of fuel to a customer's bill effectively removes the normal incentive for the utility to endeavor to keep its fuel costs down; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama House of Representatives notes with approval the statements made by the House of Representatives of the United States relative to this outrageous practice of allowing an automatic add-on to utility rates, which have heretofore been specifically fixed by the Alabama Public Service Commission; that this House believes that the elimination of this pass-on will be a tremendous help to the working men and women of Alabama; that this House recognizes the efforts of Alabama Public Service Commissioner Jim Zeigler to abolish the automatic fuel adjustment pass-on and hereby encourages the other two members of the Public Service Commission to join Mr. Zeigler in voting to abolish the automatic fuel adjustment add-on in Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 440, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 124. To amend Section 1 of Act 208, S. 34 Special Session 1966, [Acts 1966, p. 256, now appearing in Code of Alabama, Recompiled 1958, Title 55, Section 378 (2)], as amended, entitled: "An Act to authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards," so as to redefine the term "peace officer" to include law enforcement officers of the Department of Conservation and Natural Resources.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Stewart, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 124, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR SENATE BILL 124

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act 208, S. 34 Special Session 1966, [Acts 1966, p. 256, now appearing in Code of Alabama, Recompiled 1958, Title 55, Section 378 (2)], as amended, entitled: "An Act to authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards," so as to redefine the term "peace officer" to include law enforcement officers of the Department of Conservation and Natural Resources, all law enforcement officers of the Alabama Forestry Commission, livestock theft investigator of the Department of Agriculture and Industries, and Capitol Security guards.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 208, S. 34, Special Session 1966, [Acts 1966, p. 256, now appearing in Code of Alabama, Recompiled 1958, Title 55, Section 378 (2)], as amended, is hereby amended to read as follows:

"Section 1. A. The following words and phrases when used in this Act shall have the following meanings, respectively, unless the context shall clearly indicate a different meaning in the connection used.

"1. "Awarding authority" means the state board of adjustment, created and existing pursuant to Code of Alabama 1940, Title 55, Chapter 10, Article 2.

"2. "Dependent child" means an unmarried child under the age of eighteen years, or one over that age who is physically or mentally incapacitated from earning.

"3. "Fireman" or "firemen" means a member or members of a paid, part-paid or volunteer fire department of a city, town, county, or other subdivision of the State or of a public corporation organized for the purpose of providing water, water systems, fire protection services or fire protection facilities, in the State; and such words shall include the chief, assistant chief, wardens, engineers, captains, firemen, and all other officers and employees of such departments who actually engage in fire fighting or in rendering first aid in case of drownings or asphyxiation at the scene of action.

"4. "Peace officer" includes all sheriffs, deputies sheriff, constables, city police officers, city policemen, state and town marshals, members of the highway patrol, state troopers, employees of the Department of

Corrections and Institutions, highway camp guards, law enforcement officers of the Department of Conservation and Natural Resources, all law enforcement officers of the Alabama Forestry Commission, livestock theft investigators of the Department of Agriculture and Industries, Capitol security guards, narcotic agents and inspectors of the Department of Public Health, and any other state, county, or municipal officer engaged in quelling a riot, rout, or civil disturbance.

"B. For the purposes of this Act the following described persons shall be conclusively presumed to be wholly dependent:

"Wife, unless it be shown that she was voluntarily living apart from her husband at the time of his death, or unless it be shown that the husband was not in any way contributing to her support and had not in any way contributed to her support for more than twelve months next preceding the occurrence of the injury causing his death.

"Minor children under the age of eighteen years and those over eighteen if physically and mentally incapacitated from earning.

"Wife, child, husband, mother, father, grandmother, grandfather, sister, brother, mother-in-law, and father-in-law who were wholly supported by the deceased peace officer or fireman at the time of his death and for a reasonable period of time prior thereto shall be considered his dependents and payment of compensation may be made to them as hereinafter authorized.

"Any member of the class named in the preceding paragraph who regularly derived part of his support from the earnings of the deceased peace officer or the deceased fireman, as the case may be, at the time of his death and for a reasonable time immediately prior thereto shall be considered his partial dependents and payment of compensation may be made to such partial dependents as hereinafter authorized."

Section 2. All laws and parts of laws in conflict herewith are repealed.

Section 3. This Act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Bank, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Powell, Shelby, Stewart, Torbert, Vacca, Waldrop.

— 24

Nays:

— 0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 254. To amend Section 12 of Act No. 1038, H. 1005, 1973 Regular Session, approved September 10, 1973, creating a uniform military code and a uniform code of military justice for the State of Alabama, so as to

exempt from the operation of the privilege or license tax and registration fee levied on automobiles and motor vehicles by the State of Alabama, one passenger vehicle owned by any officer, warrant officer, or enlisted person serving as an active member of any United States armed forces reserve or organization, and disabled veterans who meet certain requirements of residence in Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. King, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 254, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 254

A BILL TO BE ENTITLED AN ACT

To exempt from the operation of the privilege or license tax and registration fee levied on automobiles and motor vehicles by the State of Alabama, one passenger vehicle owned by any officer, warrant officer, or enlisted person serving as an active member of any United States armed forces reserve organization and disabled veterans who meet certain requirements of residence in Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be exempt from the operation of the privilege or license tax and registration fee now or hereinafter to be levied on automobiles and motor vehicles by the State of Alabama, one passenger vehicle owned by:

A. Any active member of the Alabama National Guard or the Alabama state guard, when organized in lieu of the national guard or for any disabled veteran. Such exemption for only one such vehicle extends only to distinctive national guard or disabled veterans license tags and shall be claimed upon presentation of proper identification on forms prescribed by the adjutant general. Active members of the national guard may obtain additional distinctive license tags for other passenger vehicles which they own by paying the regular privilege or license tax provided by law. Retired members of the Alabama National Guard may obtain one or more distinctive license tags for passenger vehicles which they own upon presentation and proper identification on forms prescribed by the adjutant general and by paying the regular privilege or license tax and registration fee as provided by law.

B. Any officer, warrant officer, or enlisted person serving as an active member of any United States armed forces reserve organization or any disabled veteran who were residents of Alabama at the time of entering the service, and who are still residents of Alabama at the time the exemption is claimed. Such exemption shall be claimed by presentation of proper identification and proof of residence requirements on forms prescribed by the State Department of Revenue.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 21; Nays 0.

Yeas:

Messrs. Adams, Bank, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Powell, Shelby, Stewart, Torbert, Vacca, Waldrop.

—21

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 106. To amend Act No. 253, Special Session 1966 which exempts from civil liability certain persons who render emergency care at the scene of an accident, casualty or disaster, to read as follows:

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Ellis, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 106, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT NO. 1 TO S. B. 106

Amend "Section 1" on page 1 of said bill, beginning with line 15 so that the first sentence of said "Section 1" will read as follows:

"Section 1. When any doctor of medicine or dentistry, nurse, member of any organized rescue squad, member of any police or fire department, member of any organized volunteer fire department, Alabama licensed emergency medical technician, intern and resident practicing in an Alabama hospital with training programs approved by the American Medical Association, Alabama state trooper, medical 'aidman' functioning as a part of the Military Assistance to Safety and Traffic Program, gratuitously and in good faith renders first aid or emergency care at the scene of an accident, casualty, or disaster, to a person injured therein, he shall not be liable for any civil damages as a result of his acts or omissions in rendering such first aid or emergency care, nor shall he be liable for any civil damages as a result of any act or failure to act to provide or arrange for further medical treatment or care for the injured person.

HOUSE AMENDMENT NO. 2 TO S. B. 106

Amend "Section 1" of Senate Bill 106, on page 1, line 31, by deleting the following sentence:

"However, such exemption from civil liability shall not extend to wilful or wanton misconduct."

HOUSE AMENDMENT NO. 3 TO SENATE BILL 106

Amend Section 2 of Senate Bill 106, beginning on line 32 of page 1 and lines 3 through 6 on page 2, to read as follows:

Section 2. When any physician gratuitously advises medical personnel at the scene of an emergency episode by direct voice contact, to render medical assistance based upon information received by voice or biotelemetry equipment, such actions ordered taken by the physician to sustain life or reduce disability, shall not be considered liable when such actions are within the established medical procedures.

HOUSE AMENDMENT NO. 4 TO SENATE BILL 106

Further amend "Section 1" of Senate Bill 106, on page 1, line 31, by striking the word troops and insert in lieu thereof the word persons.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Powell, Stewart, Vacca, Waldrop.

— 25

Nays:

— 0

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 124. To amend Section 1 of Act 208, S. 34 Special Session 1966, [Acts 1966, p. 256, now appearing in Code of Alabama, Recompiled 1958, Title 55, Section 378 (2)], as amended, entitled: "An Act to authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards," so as to redefine the term "peace officer" to include law enforcement officers of the Department of Conservation and Natural Resources, all law enforcement officers of the

Alabama Forestry Commission, livestock theft investigators of the Department of Agriculture and Industries, and Capitol Security guards.

Also:

S. 131. To amend further the title and Sections 1 and 2 of Act No. 396, H. 289, Regular Session 1957 (Acts 1957, p. 549), providing for uniform gifts to minors so as to redefine the word "court" and to provide for the making of testamentary gifts under such act.

Also:

S. 254. To exempt from the operation of the privilege or license tax and registration fee levied on automobiles and motor vehicles by the State of Alabama, one passenger vehicle owned by any officer, warrant officer, or enlisted person serving as an active member of any United States armed forces reserve organization and disabled veterans who meet certain requirements of residence in Alabama.

Also:

S. 782. To authorize full-time employees of the Tannehill Furnace and Foundry Commission to participate in any insurance programs provided for by state employees; to authorize the Tannehill Furnace and Foundry Commission to contribute any monies appropriated them for any purpose to carry out the provisions of this act, and to make payroll deductions from employees' salaries.

Also:

S. 106. To amend Act No. 253, Special Session 1966 which exempts from civil liability certain persons who render emergency care at the scene of an accident, casualty or disaster, to read as follows:

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 284. THANKING THE DECATUR AREA FOR ITS HOSPITALITY TO THE LEGISLATURE.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a

quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor and the Secretary of the State, with the date and hour of delivery, to-wit:

S. B. 1114

S. B. 1157

S. B. 1252

S. B. 1136

S. B. 75

S. B. 152

S. B. 164

S. B. 169

S. B. 335

S. B. 391

S. B. 416

S. B. 495

S. B. 496

S. B. 517

S. B. 658

S. B. 755

S. B. 1041

S. B. 20

S. B. 171

S. B. 1033

S. J. R. 156

Delivered to the Governor, October 9, 1975, at 11:30 A.M.

S. B. 1155

Delivered to the Secretary of State, October 9, 1975, at 11:30 A.M.

S. B. 219

S. B. 220

S. B. 633

S. B. 992

S. J. R. 143

S. J. R. 147

S. J. R. 149

S. J. R. 151

S. J. R. 157

Delivered to the Governor, October 9, 1975, at 3:55 P.M.

S. B. 464

Delivered to the Secretary of State, October 9, 1975, at 6:12 P.M.

S. B. 170

S. B. 278

S. B. 478

S. B. 480

S. B. 481

S. B. 571

S. B. 654

S. B. 742

S. B. 769

S. B. 851

S. B. 852

S. B. 866

S. B. 952

S. B. 1071

S. B. 1104

S. B. 1113

S. B. 1174

S. B. 1179

S. B. 1241

S. B. 1258

S. B. 1260

S. J. R. 106

S. J. R. 148

S. J. R. 150

S. J. R. 152

S. J. R. 153.

Delivered to the Governor, October 9, 1975, at 9:40 P.M.

S. B. 300

S. B. 307

S. B. 409

S. B. 576

S. B. 683

S. B. 704

S. B. 901

S. B. 102

S. B. 308

S. B. 772

S. B. 400

Delivered to the Governor, October 9, 1975, at 11:50 P.M.

S. B. 86

S. B. 628

S. B. 1036

S. B. 1070

S. B. 92

S. B. 301

S. B. 306

S. B. 315

S. B. 322

S. B. 354

S. B. 712

S. B. 845

S. B. 925

S. B. 1018

S. J. R. 158

S. J. R. 161

Delivered to the Governor, October 9, 1975, at 11:55 P.M.

S. B. 382

S. B. 660

S. B. 525

S. B. 668

S. B. 688

S. B. 161

S. B. 487

S. B. 698

S. B. 762

S. B. 696

Delivered to the Governor, October 9, 1975, at 11:58 P.M.

S. B. 635

Delivered to the Secretary of State, October 9, 1975, at 11:58 P.M.

S. B. 138

S. B. 473

S. B. 616

S. B. 659

S. B. 657

S. B. 670

S. B. 106

S. B. 1060

S. B. 542

S. B. 557

S. B. 627

S. B. 553

S. B. 768

S. B. 775

S. B. 124

S. B. 131

S. B. 254

S. B. 782

Delivered to the Governor, October 9, 1975, at 12:00 Midnight.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

INTERIM COMMITTEE APPOINTMENTS ANNOUNCED

Under the provisions of S. J. R. 91, the President and Presiding Officer of the Senate announced the appointment of Messrs. Jones, Foshee and Owen as Senate members of the Joint Interim Committee to study grants received by various State departments and agencies.

Under the provisions of S. J. R. 98, the President and Presiding Officer of the Senate announced the appointment of Messrs. Mitchell, Wilson, Waldrop and Ellis as Senate members of the Joint Legislative Committee to study the feasibility of a state-wide group comprised of state employees and educators for hospital-medical insurance.

Under the provisions of S. J. R. 101, the President and Presiding Officer of the Senate announced the appointment of Messrs. Givhan (Chairman) and Mims as Senate members of the Joint Interim Committee to study agricultural chemical products.

Under the provisions of S. J. R. 128, the President and Presiding Officer of the Senate announced the appointment of Messrs. Baker and Flippo as Senate members of the Joint Interim Study Committee to investigate allegations with respect to the Fairhope single tax corporation.

Under the provisions of S. J. R. 130, the President and Presiding Officer of the Senate announced the appointment of Messrs. Little, Bank, McDonald (A) and McMillan as Senate members of the continuing Interim Committee on Finance and Taxation.

Under the provisions of H. J. R. 6, the President and Presiding Officer of the Senate announced the appointment of Messrs. Owen, Noonan and Perloff as Senate members of the Select Committee to study best method of utilizing the natural resources of southwest Alabama.

Under the provisions of H. J. R. 139, the President and Presiding Officer of the Senate announced the appointment of Messrs. Vacca, Wilson, Powell, Noonan and Adams as Senate members of the Joint Continuing Committee to study real estate licensing laws.

Under the provisions of H. J. R. 140, the President and Presiding Officer of the Senate announced the appointment of Messrs. Vacca, Edwards, and Clemon as Senate members of the Joint Interim Committee for making an investigation and study relative to amending the probate law of Alabama to conform to the Uniform Probate Code.

Under the provisions of H. J. R. 368, the President and Presiding Officer of the Senate announced the appointment of Messrs. Perloff, Baker, Shelby, Roberts, Perry, Pearson, McMillan and St. John as Senate members of the Joint Interim Committee to study the feasibility of adopting a Revised Criminal Code for the State of Alabama.

Under the provisions of H. J. R. 410, the President and Presiding Officer of the Senate announced the appointment of Messrs. King, Clemon and Pearson (Vice-Chairman) as Senate members of the Interim Study Committee on the availability of safe and sanitary residential housing for low and moderate income families.

Under the provisions of H. J. R. 421, the President and Presiding Officer of the Senate announced the appointment of Messrs. Fine, Littleton and Shelby as Senate members of the Interim Committee to study the formula for the distribution of funds to the state universities, junior colleges and trade schools.

Under the provisions of H. J. R. 430, the President and Presiding Officer of the Senate announced the appointment of Messrs. Owen, Powell, Stewart, Edwards and Little as Senate members of the Interim Committee to study the tax structure of the State of Alabama and the distribution of tax revenues.

Under the provisions of H. B. 1917, the President and Presiding Officer of the Senate announced the appointment of Messrs. Fine, Foshee, Owen, Edwards, McMillan, Torbert and Bank as Senate members of a permanent joint highway committee for long-range highway development in the State.

MESSAGE FROM THE HOUSE

Mr. President:

Under the provisions of S. J. R. 91, Act 1007, the Speaker of the House of Representatives announced the appointment of Messrs. Cates, Holmes and Moore (O) as House members of the Joint Interim Committee to study grants received by various state departments and agencies.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Under the provisions of S. J. R. 98, Act 948, the Speaker of the House of Representatives announced the appointment of Messrs. Kinsey, Carter, Venable and Shelton as House members of the Joint Legislative Committee to study the feasibility of a state-wide group comprised of state employees and educators for hospital-medical insurance.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Under the provisions of S. J. R. 101, Act 223, the Speaker of the House of Representatives announced the appointment of Messrs. Whatley, Campbell, and Cross as House members of the Joint Interim Committee to study agricultural chemical products.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Under the provisions of S. J. R. 128, Act No. 542, the Speaker of the House of Representatives announced the appointment of Messrs. Carter, Higginbotham and Folmar as House members of the Joint Interim Study Committee to investigate allegations with respect to the Fairhope single tax corporation.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Under the provisions of S. J. R. 130, Act 949, the Speaker of the House of Representatives announced the appointment of Messrs. Gafford, Owens, Biddle and Manley as House members of an interim Committee on Finance and Taxation.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Under the Provisions of H. J. R. 6, Act 943, the Speaker of the House of Representatives announced the appointment of Messrs. Kinsey, Hines, Sonnier and McCulley as House members of a Select Committee to study best method of utilizing the natural resources of southwest Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Under the provisions of H. J. R. 139, Act 541, the Speaker of the House of Representatives announced the appointment of Messrs. Andrews, Biddle, Callahan, Moore (W), and Crawford as House members of the Joint Continuing Committee to study real estate licensing laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Under the provisions of H. J. R. 140, the Speaker of the House of Representatives announced the appointment of Messrs. Turnham, Mitchem, Sasser, and Cooper as House members of the Joint Interim Committee for the purpose of making an investigation and study relative to amending the probate law of Alabama to conform to the Uniform Probate Code.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Under the provisions of H. J. R. 368, ACT 500, the Speaker of the House of Representatives announced the appointment of Messrs. Manley, Lee, Harris, Lutz, Clark, Rich, Killian, and Williams as House members of the Joint Interim Committee to study the feasibility of adopting a Revised Criminal Code for the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Under the provisions of H. J. R. 410, ACT 1017, the Speaker of the House of Representatives announced the appointment of Messrs. Harrison, Glass, and Ford as House members of the Interim Study Committee on the availability of safe and sanitary residential housing for low and moderate income families.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Under the provisions of H. J. R. 421, ACT 1232, the Speaker of the House of Representatives announced the appointment of Messrs. Holley, Merrill, Brindley, Pegues, and Smith (M), as House members of an Interim Committee to Study the formula for the distribution of funds to the state universities, junior colleges and trade schools.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Under the provisions of H. J. R. 430, ACT 1178, the Speaker of the House of Representatives announced the appointment of Messrs. Merrill, McCorquodale, Gafford, McCluskey, Coburn, McMillan, and Morris as House members of an Interim Committee to study the tax structure of the State of Alabama and the distribution of tax revenues.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Under the provisions of H. B. 1917, Act 1218, the Speaker of the House of Representatives announced the appointment of Messrs. Sandusky, Jackson (F), Higginbotham, Crowe, Starkey, White and Owens as House members of a permanent joint highway committee for long-range highway development in the State.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate for the Thirty-fifth and Thirty-sixth Legislative Days and finds same

correct and containing all original entries and references thereto required by the Constitution.

E. C. FOSHEE,
Chairman.

COMMITTEE REPORT

On motion of Mr. Foshee, the foregoing report was concurred in and the Journals of the Senate for the Thirty-fifth and Thirty-sixth Legislative Days were approved by the Senate.

ADJOURNMENT

At 12 o'clock Midnight, on motion of Mr. Torbert, in accordance with Joint Resolution heretofore adopted, the Senate adjourned sine die.

/s/ JERE BEASLEY

Lieutenant Governor and President and
Presiding Officer of the Senate

ATTEST:

/s/ McDOWELL LEE

Secretary of Senate

IN THE LEGISLATURE OF THE STATE OF ALABAMA
STATE SENATE
REGULAR SESSION, 1975
LOBBYIST REGISTRATION

(In accordance with the provisions of Senate Rule 79.)

Adams, Morris E., Self.

Adwell, Robert G., Fraternal Order of Police.

Akel, Mary Jane, Alabama Education Association.

Albright, A. D., International Union Order of Operating Engineers.

Allen, Walter L., Association of Alabama Cemeteries; Alabama Motorists Association; Alabama Natural Gas Association Management Services, Inc.

Allison, Claude F., Alabama L. P. Gas Association.

Amos, Douglas W., Alabama League of Savings Associations.

Argo, J. Knox, Alabama League of Savings Associations; American Insurance Association.

Armagost, E. R., Alabama Concrete Industries Association.

Andrews, Gordon G., South Central Bell.

Atchison, James E., Alabama Trial Lawyers Association (MCLEA).

Attaway, C. F., Alabama Society of Professional Land Surveyors.

Aultman, Cecil, Steelworkers Legislative Committee.

Avinger, C. E., Southern Bancorporation.

Bailey, George F., Jr., Alabama Railroad Association.

Baker, Schuyler, Alabama Power Company.

Bandy, Loyd, Alabama Asphalt Pavement Association.

Baril, Eugene, General Telephone Company of the S.E.

Barnett, Earl, Alabama Education Association.

Bass, Ray, Alabama State Highway Department.

Bates, Charles Walter, U. S. Pipe & Foundry Company.

Bates, William H., Jr., Alabama Employment Association.

Bell, Ann, Morgan County Board of Registrars.

Benton, J. Robert, Wine Institution.

Bibb, Peyton, South Central Bell Telephone Company.

Black, Diane, Auburn University at Montgomery.

Blackwood, Ray, Alabama Council of Public Service Employees, LIUNA, AFL-CIO.

Blow, Betty S., Alabama District Attorney's Association.

Boggs, William P., Alabama Dry Dock & Ship Building Company.

Bradley, Jack, Steelworkers Legislative Committee and Education of Alabama.

Bradley, Stephen E., The Decatur Daily.

Brand, James Bethel, Jr., Associated Industries of Alabama.

Brandli, Jean S., Coosa Valley Telephone Company.

Braswell, Thelma, Alabama Education Association.

Bray, Hulsey A., Jr., Alabama Area Chamber of Commerce.

Britton, James J., Alabama Chamber of Commerce.

Brown, David C., University of North Alabama.

Brunson, Gerald N., Merck Sharp & Dohme, Division of Merck & Company, Inc.

Bryant, B. G., Police Department (Montgomery).

Bryant, Lowell G., Communications Workers of America Local 10901.

Burdett, Robert A., Alabama Crop Improvement Association.

Burk, Charles W., Distilled Spirits Council of the U. S.

Burks, Amy, Alabama Education Association.

Burns, Charles J., Alabama Trucking Association, Inc.

Burrell, Richard J., Household Finance Corporation.

Burson, William H., National Federation of Independent Business.

Callahan, N. P., Retired Policemen and Widows Receiving Benefits.

Cantrell, E. H., Alabama State Fraternal Order of Police.

Carlton, John P., City of Birmingham.

Carr, Bruce, AFL-CIO.

Casey, John S., Alabama Banking Association.

Chambers, E. T., Home Builders Association of Alabama.

Chastain, Linda, Self.

Christian, James M., Ciba Pharmaceutical Company.

Clark, James S., Central Bancshares of South; Eufaula Board of Realtors.

Cleckler, Robert M., Sr., First National Bank of Childersburg.

Cloud, John W., Alabama Peace Officers Association.

Cone, C. E., Montgomery Firefighters Association.

Conrad, Robert Pryor, Jefferson County Democratic Executive Committee.

Cook, William J., Hudson-Thompson.

Cosper, Robert P., Alabama Education Association; Cullman City Education Association.

Cousins, John L., Fraternal Order of Police, Birmingham, Alabama.

Creel, Ron, Mutual Savings Life Insurance Company.

Crosslin, Dave, AFL-CIO.

Cruit, George, Alabama Employment Association.

Cunningham, R. S., Alabama Association of Life Underwriters.

Cutchen, Frances C., Self.

Dale, Thom, Alabama Education Association.

Damson, Thomas S., Alabama Employment Association.

Davidson, Rudolph, University of Alabama in Birmingham.

Davis, S. L., Association of County Commissions.

Denholm, David Y., Public Service Research Council.

Disque, J. L., CIBA-GEIGY Corporation.

Dominick, Charlotte, Birmingham Children's Theater.

Doss, Chriss, Jefferson County Commission.

Dowe, Dan, Alabama League of Municipalities.

Dykes, Billy, Alabama Education Association.

Eden, Thomas M., Alabama Textile Manufacturers Association.

Eden, Thomas, III, Calvin Whitesell, Waste-Away Inc.

Edgerton, Mary Alice, Computer Election Systems.

Edington, Robert S., Clyde Foreman.

Eggers, Cecil, Public Service and Industrial Employees, Local Union 1314.

Ellis, Rhett, Alabama Society of Dispensing Opticians.

Engelhardt, Sam, Alabama Power Company.

Eslen, Frederick, Jr., Alabama League of Savings Associations; American Insurance Association.

Estess, G. E., Alabama Employment Association.

Farish, Preston T., Alabama Department of Labor.

Farley, Joseph, Alabama Power Company.

- Fields, Edward E., Mobile Gas Service Corporation.
- Finley, Robert, State Department of Public Health.
- Folse, Paul J., Mobile County Law Enforcement Association.
- Ford, Paul B., Jr., Ford Finance Company.
- Flynn, Jenne C., Morgan County Board of Registrars.
- Frizzle, Cecil, Hudson-Thompson.
- Fuller, William P., Jr., Student Government Association, Auburn University.
- Gallion, Thomas T., III, American Mutal Insurance Alliance; Alabama Automatic Merchandising Association.
- Gamble, James Franklin, National Guard Association of Alabama.
- Geddie, Robert B., Jr., Alabama Petroleum Council.
- Gloor, Tom, Jefferson County.
- Golden, Jeff, Alabama Association of Student Financial Aid Administrators.
- Graham, Joe, Alabama Forestry Association.
- Gray, Billy, Birmingham Firefighters Association Local 117.
- Green, Johnnie, Labor.
- Green, William Levert, U. S. Pipe and Foundry Company.
- Grills, Ed, Magic City Trucking Service.
- Gwin, Robert W., Jefferson County.
- Hallam, P. G., Alabama Wholesalers, Beer and Wine.
- Hamilton, B. N., Alabama Bar Association; Alabama League of Municipalities; The Circuit Clerks and Registrars of Alabama; American Reciprocal Insurance Association.
- Hamner, Reginald, Alabama State Bar Association.
- Hanebuth, William, Alabama Education Association.
- Hardy, George, Jr., Jefferson County Health Department.
- Hardin, Edward L., Jr., Alabama Trial Lawyers Association.
- Harris, Roosevelt A., Alabama Education Association.
- Hart, James Whitfield, Jr., Alabama Petroleum Council.
- Hathcock, Perry, City Employees.
- Hawthorne, Frank, Alabama Power Company.
- Hendrix, J. E., State Law Enforcement Association.
- Hewlett, William E., Alabama Funeral Directors Association.
- Hiller, William D., Hiller Truck Line.

Holloway, Kent, Associated Credit Bureau of Alabama.
Holsenbeck, Daniel, Auburn University at Montgomery.
Horne, John E., Alabama Rural Electric Association.
House, Mike, Permanent Study Commission.
Hubbert, Paul, Alabama Education Association.
Hudson, Mavane R., Alabama State Employee's Association.
Hughes, Fred Hendrix, Alabama Education Association.
Hutchinson, George, Alabama Nursing Homes Association.
Ingram, Kenneth F., Alabama Circuit Judges Association.
Jackson, G. I., CWA Local 10908.
Jason, Elza, Alabama Women's Political Caucus.
Jetton, Bruce, Alabama Trial Lawyers Association.
Jimmer, Emmett E., Alabama Education Association.
Jones, Ferrell S., Jr., IBEW.
Jones, Franklin L., Container Corporation of America.
Johnson, Gerald, Birmingham Association of City Employees.
Johnson, John B., Alabama Petroleum Council.
Johnston, J. Reese, Jr., Jefferson County, Alabama.
Jordan, Lucy, Druid City Hospital.
Katz, Jane, League of Women Voters.
Kelce, William, Alabama Surface Mining—Reclamation Council.
Kendall, Bob, Alabama Railroads Association.
King, Tom, City of Birmingham.
Kirchhaine, W. F., Beneficial Management Corporation of America.
Kitchings, Atley A., South Central Bell Telephone Company.
Lackey, Harry B., Alabama Probate Judges Association.
Lacy, Alex, Alabama Gas Corporation.
Laird, Van, Alabama Education Association.
Lanier, Jessie E., Sr., Alabama Citizens for Transportation; Alabama League of Municipalities (Jefferson County Cities).
Lawley, R. W., Jr., University of Montevallo.
Lawley, W. R., Jr., Alabama Citizens for Transportation.
Leavell, Winston J., Ben C. Collier, Chairman of Board National Manufacturers, Incorporated.

Lewis, Riley L., Jr., Western Hills Trade Association.

Lightsey, Joe, Alabama Education Association.

Livingston, Edwin K., Alabama Tax Assessors & Collectors Association.

Livingston, Luther W., Jr., Sandos Pharmaceuticals.

Lollar, Wilburn R., United Mine Workers of America.

Long, G. C., Jr., Alabama Hospital Association.

Looney, Ginny, Alabama Council on Human Relations; Alabama Civil Liberties Union.

Lowery, Dexter, Local Union 1279.

Ludolf, Luther, Birmingham Firefighters Association.

Lumpkin, B. J., Alabama Firefighters Pension Fund Association.

Lybrand, Fred Ray, Independent Bankers Division Alabama Bankers Association.

MacMahon, W. O., III, City of Birmingham.

McBroom, Norman L., Alabama State Barber and Beauticians Association.

McDonald, Charles, Alabama Retailers Association.

McGregor, Tom, Alabama Gas Corporation.

McMillan, Harry M., Alabama Chamber of Commerce.

McNeill, Lloyd C., The Mead Corporation.

Marr, Thomas M., City of Citronelle.

Martin, Lonnie, Alabama Association of Realtors.

Martin, Reul B., United Auto Workers of Alabama.

Mathews, Charles T., Alabama Farm Bureau Insurance Company.

Melton, Oakley, Jr., Alabama Soft Drink Association.

Middleton, Ruby B., Alabama State Chiropractic Association.

Milne, John D., 3 M Center.

Miller, John W., Home Builders Association of Alabama.

Miller, Largent M., Alabama-Mississippi Independent Telephone Association.

Mills, Robert E., International Brotherhood of Electrical Workers.

Mobley, Gilbert D., Associated Industries of Alabama.

Mooresmith, John T., Medical Association of the State of Alabama.

Morris, Howard J., Jr., Alabama Bankers Association.

Morrow, Hugh, III, The Mid-South Company, Incorporated; Watkins-Morrow & Company, Incorporated.

Mull, William P., Alabama Funeral Directors Association.

Murdock, Jerry D., Employees Association.

Murphy, Joseph C., Alabama Education Association.

Nash, James E., Alabama Lenders Association.

Neira, Rebecca J., Alabama Education Association.

Norris, Raymond O., Jefferson County Child Development Council.

North, James L., The Medical Clinic Board, City of Montgomery.

Oden, Lewis C., American Insurance Association; Alabama League of Savings Association.

Osborne, LeRoy, Osborne Truck Line.

Ozment, David, Alabama Poultry and Egg Association.

Parks, Carl McDonald, Allstate Insurance Company.

Parsons, Milton K., Alabama Farm Bureau Federation.

Peelen, Jean P., Self.

Pepperman, J. Ed, United States Brewers Association, Incorporated.

Perry, Joy Ann, AFL-CIO LIUNA

Persons, Maida E., State Highway Department.

Phelps, James E., Association of Alabama Cemeteries.

Pierce, Peter P., Exxon Company, U.S.A.

Pippin, Earl, Alabama Consumer Finance Association.

Poe, J. Curtis, State Law Enforcement Association.

Pratt, Jack E., Steelworkers Legislative Committee, Incorporated.

Price, Charles D., South Central Bell.

Price, John W., Mobile City Law Enforcement Association.

Price, Vic, Alabama State Employees Association.

Price, William H., Auburn University Student Government Association.

Prigmore, Dr. Charles S., Faculty Coalition of University of Alabama.

Purvis, James R., Public Employee Local 1317 AFL-CIO.

Quinn, Randy, Alabama Association of School Boards.

Rabren, Carlos L., Department of Toxicology and Criminal Investigation.

Rawls, W. C., Communications Workers of America.

Rea, Smith, Jr., Associates Capitol Corporation & Cumberland Capital Corporation, Affiliated Co.

- Reddick, A. B., Allstate Insurance Companies.
Reynolds, J. D., Alabama Public Health Association.
Reynolds, Robert P., Alabama Student Lobby.
Richardson, Creel, A.A.R.P.-N.R.T.A.
Ritchie, James I., Alabama Trucking Association, Incorporated.
Robertson, Joseph G., Alabama Society of CPA's.
Robinson, Price E., Professional Firefighters Association of Alabama.
Rogers, Frank E., Jefferson County Sheriff's Department.
Rogers, Henry T., Alabama Mining Institute.
Roquemore, Crawford, Jr., Alabama League of Municipalities.
Rowe, Charles, Jacksonville State University.
Robertson, William H., Calvin Whitesell.
Russell, Robert J., Alabama Association of Insurance Agents;
Alabama Association of Realtors; Associated General Contractors of
America; Alabama Veterinary Medical Association.
Sellers, Curtis P., University of Alabama.
Sexton, Cecil D., Montgomery Firefighters Association.
Sharpless, O. H., Association of County Commissioners of Alabama.
Shertzer, L. L., Jr., Alabama Road Builders Association.
Shipp, Sara, Alabama Education Association.
Sigler, W. C., Communications Workers of America.
Skinner, T. Julian, Jr., Alabama By-Products Corporation.
Slater, Stanley M., Alabama Gas Corporation.
Slatton, Don R., Home Builders Association of Alabama.
Sloan, Joseph E., General Motors Corporation.
Smilie, Chris, Shaw Montgomery Warehouse.
Smith, Carlton E., State Employees Association.
Smith, Charles H., Alabama Equipment Dealer's Association.
Smith, Dr. John L., Citizens Impact.
Smith, J. W., Mobile County Law Association.
Smith, Paul M., Jr., Alabama Education Association.
Smith, Phillip H., Talladega College.
Smith, Timothy Scott, Motor Vehicle Manufacturers Association.
Smith, William H., Alabama Sheriff's Association.
Splain, Bennie L., Jr., International Union of Operating Engineers.

Spradley, Taylor, Montgomery Firefighters Association.
Springer, Curtis H., Alabama Dairy Products Association.
Stansell, Theodore M., Alabama Council, American Institute of Architects; Alabama Society of Dispensing Opticians.
Stefancic, Stanley R., Alabama Common Cause.
Stephenson, J. W., Alabama Department of Labor.
Stewart, Donald T., IBEW.
Stone, Roger J., Jr., Public Service Research Council.
Strain, Robert E., United States Steel Corporation.
Streetman, Harold E., Automobile dealers Association of Alabama.
Strickland, G. G., Birmingham Firefighters Association.
Stringer, Benjamin, Alabama Education Association.
Teague, C. Ed, Alabama Livestock Markets Association, Inc.
Thagard, Launia L., Alabama Pharmaceutical Association.
Thiemonge, Frank L., Jr., Alabama Safety Council.
Thigpen, Richard, University of Alabama.
Tiffany, David M., University of South Alabama.
Timmons, Robert D., Alabama Sheriff's Association.
Tomme, Virginia, People for Libraries Urging Support (PLUS).
Toohey, Frank, University of Alabama.
Trammell, A. G., AFL-CIO.
Turner, Robert L., Alabama Sheriff's Association.
Tyner, Larry, Weyerhaeuser Company.
Underwood, Kenneth W., Jr., South Central Bell Telephone Co.
Varner, William R., City Workers of Montgomery.
Vaughn, Howard R., Liberty National Life Insurance Company.
Vaughn, Peggy G., Self.
Vogle, Jesse S., Alabama Power Company.
Vonhagel, A. B., Jr., Birmingham Firefighters Association.
Wagnor, Martin B., Alabama Education Association.
Walker, James A., Jr., Alabama Dental Association.
Walker, James P., Alabama Education Association.
Waller, Michael R., Alabama Student Lobby.
Ward, Joseph F., Alabama Education Association.

Wasson, Don, Alabama Mining Institute.

Waters, W. D., Montgomery Firefighters Association.

Watkins, John F., Alabama League of Municipalities.

Watson, Slade G., Common Cause of Alabama.

Weidler, Mary B., National Organization for Women.

Whetstone, John David, Alabama District Attorney's Association.

Whitaker, Richard C., Medical Association of the State of Alabama.

Whitesell, Calvin M., Alabama Association of Optometrists and Opticians; Tobacco Tax Council; Sperry and Hutchinson Company.

Williams, Charles H., Jr., Mid-Continental Oil & Gas Association.

Wilson, E. Ham, Alabama Cattlemen's Association.

Yacko, Phillip J., Alabama State Employees' Association.

Yancy, Elise K., Gadsden State Junior College.

Yeaman, James O., Alabama Coalition for Better Education; Automotive Wholesalers' Association of Alabama.

Yeomans, Andy, State Law Enforcement Association.

Additional information on Registered Lobbyists on file in office of Secretary of Senate.

ROSTER OF THE SENATE OF ALABAMA

Jere Beasley, <i>Lieutenant Governor</i>	State Capitol, Montgomery
Joe Fine, <i>President Pro-Tem</i>	Russellville
McDowell Lee, <i>Secretary</i>	Montgomery
First Senatorial District	
Ronnie G. Flippo	P. O. Box 1221, Florence 35630
Second Senatorial District	
Joe Fine	P. O. Box 818, Russellville 35653
Third Senatorial District	
Bingham Edwards	P. O. Box 632, Decatur 35601
Fourth Senatorial District	
Finis St. John	P. O. Drawer K, Cullman 35055
Fifth Senatorial District	
Robert T. (Bob) Wilson	1501 First Ave., Jasper 35501
Sixth Senatorial District	
Albert McDonald	6800 Madison Pike, Huntsville 35806
Seventh Senatorial District	
Bill G. King	P. O. Box 382, Huntsville 35804
Eighth Senatorial District	
John Baker	Rt. 3, Rainsville 35986
Ninth Senatorial District	
Sid McDonald	P. O. Box 546, Arab 35016
Tenth Senatorial District	
Gerald W. Waldrop	181 Lakeshore Dr., (Rt. 10, Box 192A) Gadsden 35901
Eleventh Senatorial District	
George McMillan	1550 First National Southern Natural Bldg., Birmingham 35203
Twelfth Senatorial District	
Paschal P. ("Pat") Vacca	929-30 Frank Nelson Bldg., Birmingham 35203
Thirteenth Senatorial District	
J. Richmond Pearson	809 Bolin Street, S. W. Birmingham 35211
Fourteenth Senatorial District	
Robert L. "Bob" Ellis, Jr.	509 Poplar Lane, Adamsville 35005
Fifteenth Senatorial District	
U. W. Clemon	2121 Building, Suite 1600 Birmingham 35203
Sixteenth Senatorial District	
Richard C. Shelby	324 First Federal Bldg., Tuscaloosa 35401

- Seventeenth Senatorial District
Eddie Hubert Gilmore P. O. Box 546, Bessemer 35020
- Eighteenth Senatorial District
Obie J. Littleton P. O. Box 1288, Clanton 35045
- Nineteenth Senatorial District
Robert (Bobby) Weaver P. O. Box 735, Talladega 35160
- Twentieth Senatorial District
Donald W. Stewart P. O. Box 2182, Anniston 36201
- Twenty-first Senatorial District
T. D. (Ted) Little P. O. Box 342, 544 Sherwood Dr.,
Auburn 36830
- Twenty-second Senatorial District
C. C. "Bo" Torbert, Jr. P. O. Box 711, Opelika 36801
- Twenty-third Senatorial District
T. Dudley Perry P. O. Box 419, Tuskegee 36083
- Twenty-fourth Senatorial District
Sam L. Adams P. O. Box 1690, Dothan 36301
- Twenty-fifth Senatorial District
E. C. (Crum) Foshee P. O. Drawer J, Red Level 36474
- Twenty-sixth Senatorial District
Jerry Powell P. O. Box 400, Eclectic 36024
- Twenty-seventh Senatorial District
Fred Jones 132 S. Perry St., Montgomery 36104
- Twenty-eighth Senatorial District
"Walking" Wendell Mitchell P. O. Box 225, Luverne 36049
- Twenty-ninth Senatorial District
Walter C. Givhan Safford 36773
- Thirtieth Senatorial District
Bert Bank No. 7 Burnt Pine, Rt. 2, Northport 35476
- Thirty-first Senatorial District
Maston Mims Rt. One, Uriah 36480
- Thirty-second Senatorial District
L. D. (Dick) Owen, Jr. P. O. Box 45, 211-11th St.,
Bay Minette 36507
- Thirty-third Senatorial District
Mike Perloff 257 St. Anthony St., Mobile 36606
- Thirty-fourth Senatorial District
L. W. "Red" Noonan 161 McGregor Ave., Mobile 36608
- Thirty-fifth Senatorial District
Bill Roberts Rt. 1, Box 278, Theodore 36582

**STANDING COMMITTEES
OF THE
ALABAMA STATE SENATE
1975**

FINANCE AND TAXATION

Owen, Chairman; Torbert, Vice-Chairman; Adams, Baker, Edwards, Fine, Foshee, Flippo, Gilmore, Givhan, Jones, Littleton, Mitchell, Perloff, Shelby, Stewart, Wilson.

RULES

Foshee, Chairman; Littleton, Vice-Chairman; Fine, Flippo, Gilmore, Shelby, Weaver.

JUDICIARY

St. John, Chairman; Mitchell, Vice-Chairman; Clemon, King, Little, A. McDonald, S. McDonald, McMillan, Perry, Powell, Shelby, Torbert, Vacca, Waldrop, Weaver.

CONSTITUTION AND ELECTIONS

King, Chairman; Ellis, Vice-Chairman; Adams, Flippo, Little, A. McDonald, S. McDonald, Noonan, Pearson, Perloff, Perry, Roberts, St. John, Vacca, Weaver.

BUSINESS AND LABOR RELATIONS

Weaver, Chairman; Waldrop, Vice-Chairman; Ellis, Givhan, Little, A. McDonald, McMillan, Noonan, Pearson, Powell, Stewart.

CONSERVATION

Pearson, Chairman; Adams, Vice-Chairman; Clemon, King, Mims, Mitchell, Roberts, Stewart, Wilson.

EDUCATION

S. McDonald, Chairman; Clemon, Vice-Chairman; Adams, Bank, Ellis, Little, A. McDonald, Mitchell, Pearson, Perry, Powell, Roberts, Shelby, Torbert, Waldrop.

HEALTH AND WELFARE

Bank, Chairman; Noonan, Vice-Chairman; Givhan, A. McDonald, S. McDonald, McMillan, Powell, Torbert, Waldrop.

BANKING

Fine, Chairman; Vacca, Vice-Chairman; Foshee, Gilmore, Givhan, Jones, Mitchell, Powell, Stewart.

INSURANCE

Mitchell, Chairman; Weaver, Vice-Chairman; Baker, Givhan, Littleton, Mims, Powell, Shelby, Wilson.

AGRICULTURE

Mims, Chairman; A. McDonald, Vice-Chairman; Adams, Baker, Bank, Edwards, Ellis, Givhan, Little, Perry, Noonan, Vacca, Weaver.

COMMERCE, TRANSPORTATION AND UTILITIES

Flippo, Chairman; McMillan, Vice-Chairman; Edwards, Fine, Foshee, Gilmore, Littleton, S. McDonald, Pearson.

STATE GOVERNMENT

Jones, Chairman; Gilmore, Vice-Chairman; Bank, Clemon, King, McMillan, Pearson, Perloff, Shelby, St. John, Stewart.

LOCAL GOVERNMENT

Roberts, Chairman; Perry, Vice-Chairman; Baker, Bank, Ellis, King, Little, A. McDonald, St. John, Vacca, Waldrop.

SEAPORTS AND INLAND WATERWAYS

Noonan, Chairman; Edwards, Vice-Chairman; Adams, Jones, Mims, Perloff, Roberts, Vacca, Wilson.

LOCAL LEGISLATION NO. 1

Littleton, Chairman; Baker, Vice-Chairman; Edwards, Flippo, Jones, King, Mims, Noonan, Perloff.

LOCAL LEGISLATION NO. 2

Gilmore, Chairman; Vacca, Vice-Chairman; Clemon, Ellis, Littleton, McMillan, Pearson, Wilson.

ROSTER
HOUSE OF REPRESENTATIVES
OF ALABAMA, 1975

JOE C. McCORQUODALE, JR., *Speaker, Jackson*

ROBERT T. (BOBBY TOM) CROWE
Speaker Pro-Tem, Jasper

JOHN W. PEMBERTON, *Clerk, Montgomery*

RICHARD C. WHITAKER
Reading Clerk, Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE		
		Lynn Greer	Rt. 3, Box 102, Rogersville 35652
2	LAUDERDALE		
		Robert M. (Bob) Hill, Jr. . .	119 Mobile Street, Plaza, Florence 35630
3	LAUDERDALE, COLBERT, FRANKLIN		
		Tom C. Coburn	1107 E. 3rd St., Tuscumbia 35674
4	COLBERT, FRANKLIN		
		J. W. (Joe) Goodwin	310 Ford Rd., Muscle Shoals 35660
5	FRANKLIN, MARION		
		Paul J. Weeks	P. O. Box 674, Winfield 35594
6	LAMAR, MARION, FAYETTE		
		Allen McNees	Rt. 1, Vernon 35592
7	LAWRENCE, MORGAN		
		Wayland Cross	Box D, Courtland 35618
8	MORGAN		
		Charles B. Martin	1716 Camellia Dr., S.W., Decatur 35601
9	MORGAN		
		Tommy Ed Roberts	Rt. 4, Box 293-E, Decatur 35601
10	MORGAN, CULLMAN		
		Tom Drake	P. O. Box 36, Cullman 35055
11	CULLMAN, WINSTON		
		John R. Sparks	919 Nunnelly Dr., S.W., Cullman 35055

- 12 WINSTON, WALKER
Robert T. (Bobby Tom) Crowe Box 2308, Jasper 35501
- 13 WALKER
Alvis Naramore 5th Ave. & 19th Street, Jasper 35501
- 14 JEFFERSON, BLOUNT
Carl Jolly P. O. Box 366, Gardendale 35071
- 15 JEFFERSON
Robert B. (Bob) Hall Rt. 2, Box 593-W, Pinson 35126
- 16 LIMESTONE
Tommy Carter Rt. 2, Elkmont 35620
- 17 LIMESTONE, MADISON
Warren C. Moore Rt. 3, Box 875, Huntsville 35806
- 18 MADISON
Frank H. Riddick 2920 Hillsboro Rd., S.W., Huntsville 35805
- 19 MADISON
Richard Gregg 401 Wynn Dr., Huntsville 35805
- 20 MADISON
Robert E. Albright 2024 Stanhope Dr., N.E., Huntsville 35811
- 21 MADISON
Bill Smith 2203 Colice Rd., S.E., Huntsville 35801
- 22 MADISON, JACKSON
Hartwell Lutz Suite 52, Central Bank Bldg., Huntsville 35801
- 23 JACKSON
Bethel D. Starkey P. O. Box 3, Pisgah 35765
- 24 JACKSON, DeKALB
Roger Killian P. O. Box 4, Fort Payne 35967
- 25 DeKALB, MARSHALL
Hinton Mitchem P. O. Box 297, Albertville 35950
- 26 MARSHALL
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OF ALABAMA 1975

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LOCAL LEGISLATION NO. 2 (Jefferson)

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LOCAL LEGISLATION NO. 3
(Mobile)

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LOCAL LEGISLATION NO. 4
(Montgomery-Madison)
Montgomery

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Madison

Lutz, Vice-Chairman; Albright, Gregg, Moore, W.; Riddick, Smith, B.

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INTERGOVERNMENTAL COOPERATION

Crawford, Chairman; McCorquodale, White, Kelley, Kinsey.

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Corporations organized for providing certain utility services,
act regulating repealed—

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Voters, re-identification of, act repealed—

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Strip mining in certain areas prohibited—

S 1021, pages 1198, 1467, 1839, 3088, 3052, 3210

COUNTIES OF 52,000 TO 52,500 POPULATION

Circuit court, clerks and register, relieved of duty of keeping
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Bail bond business, act regulating repealed—

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S 1202, pages 2118, 2518, 2620, 3172, 3237, 3436

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Education, superintendent of, act providing expense allowance
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Governing body of, act providing expense allowances repealed—

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and number repealed—

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MCGOWIN, HON. EARL M.

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McKEE, REV. ROBERT EARL

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Jefferson county, associate registrar—

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Mobile county, visitation of each legislative house district—

H 589, pages 443, 2510, 2953, 3081, 3124

Montgomery county, members of, visitation of each legislative house district—

H 265, pages 612, 1475, 1861, 1965

Tuscaloosa county, compensation—

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S 80, pages 26, 593

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Autauga county, prisoners, work release program—

S 436, pages 145, 1034, 1782

H 344, pages 370, 1907, 2221, 2304

DeKalb county, prisoners, work release program—

S 874, pages 713, 1110, 1808

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H 1687, pages 1732, 2682, 2995, 3126

Jefferson county, prisoners, work release program—

H 746, pages 794, 1618, 1871, 1949

Marengo county, prisoners, work release program—

H 1459, pages 1411, 1915, 2259, 2354

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REICH, HON. BOBBY

Death mourned—

SJR 81, pages 1257, 1990, 2162, 3208

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Program to be established by state board of health, appropriation—

S 771, pages 499, 1251, 2011

REPRESENTATIVES, U. S.

Jones and Bevill, commended for introduction of legislation to create U. S. district court—
HJR 412, page 3271

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Cherokee and Etowah counties, exemptions under certain conditions from taxes, licenses, and fees—
H 1457, pages 3029, 3117, 3215

Limestone county, appropriations—
H 276, pages 278, 1624, 1879, 1985

Marshall county, contributions validated and regulated—
S 1228, pages 2147, 2521, 2631, 3169, 3241, 3437
S 1229, pages 2148, 2521, 2632, 3169, 3241, 3437
H 1339, pages 1061, 1625, 1882, 1963

Members of, exempt from payment of automobile license tax, and distinctive license plates authorized—
S 142, pages 41, 519, 1952

Volunteer, county and municipal governments authorized to contribute to—
S 143, page 41

RESOLUTIONS

Acts of 1975, printing and binding provided—
HJR 147, pages 702, 744

Adams, dr. Ralph Wyatt, congratulated—
HJR 31, pages 233, 301

Adams, hon. Cleveland L., commended—
SJR 146, pages 3140, 3272, 3345, 3438
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Adams, senator Sam L., congratulations on birth of a son—
SJR 31, pages 298, 379, 387, 426

Agricultural experiment stations commended—
HJR 335, pages 2078, 2695, 2765

Alabama congressmen, certain, and wives, wishes for a speedy recovery—
HJR 99, pages 650, 695

Alabama country gospel music association commended—
SJR 134, pages 2626, 2977, 3054, 3210

Alabama institute for deaf and blind invited to present musical program to senate—
SJR 120, page 1938

Alabama state docks urged to increase grain facilities—
SR 75, pages 1077, 1263

Alcoholic beverage control board and John M. Harbert commended—
SR 121, page 1940

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- "American disabled veterans bridge", overpass bridge in Huntsville named—
SJR 125, page 2016
- Appropriation bills, early consideration by legislature in next regular session urged—
HJR 439, page 3677
- Archaeological advisory committee and council of Alabama archaeology created—
HJR 377, pages 2554, 3229, 3362
- Ashworth, judge Virgis Marion, death mourned—
HJR 114, pages 709, 745
- Athens college, transfer to state accepted—
SJR 144, page 3120
- Avant, miss Aletha, congratulated—
HJR 268, pages 2349, 2546
- Ava Maria grotto boulevard, portion of U.S. highway 278 named—
HJR 89, pages 638, 695
- Baker, rev. Charles E., commended—
HJR 175, pages 1194, 1276
- Baker, sheriff Wilson, death mourned—
SJR 123, pages 1987, 2639, 2887, 3209
- Batson, rev. Jerry W., commended—
HJR 176, pages 1194, 1276
- Batts, Jerry, good luck wishes on starting law school—
SJR 72, pages 1195, 1990, 2162, 3208
- Bayley, mr. and mrs. Bill and staff, congratulated—
HJR 438, pages 3667, 3696
- Beddow, mrs. Margaret McCleod, death mourned—
SJR 56, pages 956, 1260, 1265, 1698
- Beeland, probate judge James T., commended—
HJR 112, pages 708, 744
- Benton, hon. Douglas O., commended—
HJR 98, pages 707, 745
- Bibb Graves high school basketball team of Millerville commended—
HJR 27, pages 232, 300
- Billups, general Rufus L., commended—
HJR 124, pages 710, 745
- Birmingham area council of camp fire, inc., commended—
SJR 115, pages 1929, 2639, 2768, 3209
- Birmingham public library, commended
SJR 147, pages 3143, 3494, 3514, 3734

RESOLUTIONS (Continued)

Birmingham southern baseball team, commended—
HJR 16, pages 236, 300

Bishop, mrs. Minnie, congratulated—
HJR 232, pages 1451, 1463

Blackwell, hon. Cecil R., death mourned—
HJR 352, pages 3098, 3268

Booker, miss Josephine, congratulated—
HJR 150, pages 1072, 1126

Bowick, hon. Robert (Bobby), commended—
HJR 372, page 2558

Braddock, hon. Orville E., death mourned—
HJR 354, pages 3098, 3268

Bradford, hon. Jack, sr., death mourned—
HJR 414, pages 3454, 3502

Bridgeport, city of, commended—
HJR 76, pages 650, 694

Bryant, hon. George H., death mourned—
HJR 74, pages 328, 449

Building commission, placing of friction tread on capitol
steps required—
HJR 132, page 704

Building committee on Spring Hill Baptist church commended—
HJR 28, pages 233, 300

Burgess, rep. Ray, death mourned—
HJR 383, pages 2630, 2763

Burgess, rep. Ray, injury to regretted—
HJR 165, pages 949, 1127

Cahaba river commission created—
HJR 397, page 3076

Callahan, rep. H. L. "Sonny", congratulated—
HJR 19, pages 236, 300

Carr, chief Claude, honored on retirement—
SJR 110, pages 1735, 2639, 2768, 3209

Cash, miss Sally, thanked for her participation in
legislative ball game—
SR 65, page 731

Cheaha park scenic drive designated—
SJR 82, page 1200

Cherry, mrs. S. A., commended—
SJR 107, page 1653

Chestnut, George, congratulated—
SJR 47, pages 647, 700, 738, 747

RESOLUTIONS (Continued)

- Chilton county rescue squad, commended—
HJR 390, pages 3099, 3268
- Clements, mrs. Audrey P., congratulated—
HJR 77, pages 650, 694
- Commending senators Allen and Sparkman and representatives Jones and Beville—
SJR 150, pages 3165, 3523, 3564, 3734
HJR 412, page 3271
- Commission to preserve the peace, act creating repealed—
SJR 20, page 216
- Committee appointed to notify governor legislature in session—
SJR 2, pages 4, 23
HJR 2, page 23
- Confederettes, Lee high school, Huntsville, commended—
HJR 265, pages 2348, 2546
- Congress memorialized to change copyright laws regarding reproduction of materials for educational purposes—
HJR 159, pages 950, 2696, 2764
- Congress memorialized to maintain freedom and security of the republic of China—
HJR 38, pages 171, 1115
- Conner, hon. Thomas D., death mourned—
SR 155, page 3259
- Conservation and natural resources, department of, enforcement of regulations requiring wearing of life jackets urged—
HJR 183, page 1069
- Conservation committees, house and senate, chairmen of, expenses provided to attend meeting of interstate water conference—
SJR 108, pages 1654, 1709, 1889, 2482
- Constitutional convention to propose amendment to prevent deficit spending by government urged—
HJR 105, pages 640, 1114, 1277
- Conway, former senator Herbert, death mourned—
SJR 96, pages 1330, 1990, 2162, 3208
- Cooper, mayor Lewis, Jr., death mourned—
SJR 105, pages 1735, 2639, 2887, 3209
HJR 236, pages 1642, 1650
- Correctional system, adequate funding urged—
HJR 142, pages 701, 744
- Corrections, board of, urged to consider a plan of reorganization of inmates—
HJR 373, pages 2756, 3229, 3361
- Cosdon, JN Walter R., commended—
HJR 408, pages 3453, 3502

RESOLUTIONS (Continued)

- Counts, mrs. Henrietta, commended—
HJR 204, pages 1258, 1264
- Crawford, hon. George Albert, death mourned—
HJR 425, pages 3496, 3508
- Crowe, sgt. first class Luther L., commended—
HJR 161, pages 1193, 1276
- Culver, John L., former representative, death mourned—
HJR 328, pages 1934, 1987
- Curry, hon. W. B., congratulated—
HJR 45, pages 235, 301
- Davison, mrs. Johnnie Mae, death mourned—
HJR 66, pages 327, 449
- Democratic party's commission on election law reform commended—
SJR 67, pages 742, 1114, 1990, 2162, 3208
- Department of conservation and natural resources, director urged to initiate program of cooperation between law enforcement officers within his department—
HJR 69, pages 291, 1890, 1987
- Dodd, hon. Elbert A., commended—
HJR 323, pages 2350, 2546
- Dotch, hon. Joseph, death mourned—
HJR 231, pages 1451, 1463
- Dozier, former senator L. L. "Dago", death mourned—
SJR 158, pages 3465, 3642, 3702, 3735
- Drug use on school property, study by Alabama education study commission urged—
HJR 401, page 3145
- Eads, hon. Leaborne L., commended—
SJR 119, pages 2351, 2639, 2768, 3209
- "Eastern shore parkway", highway 98 from Spanish Fort to Barnwell designated as—
HJR 200, pages 1117, 1278
- Ellington, hon. Howard, death mourned—
HJR 92, pages 648, 695
- Emma Sansom high school rebel marching band congratulated—
SJR 6, pages 238, 379, 387, 426
- Environmental land and water management committee continued—
HJR 103, page 1070
- "Ernest S. Collier Bridge", U. S. highway 231, bridge crossing Sofkahatchee creek named—
HJR 90, pages 703, 744
- Estes, sergeant Randy, wishing a speedy recovery—
SR 32, page 316

RESOLUTIONS (Continued)

- Faulk, John Henry, commended—
SJR 145, pages 3138, 3189, 3244, 3438
HJR 404, pages 3224, 3362
- Firearms, strong enforcement of laws relating to use of
recommended—
HJR 79, pages 380, 492, 493
- Floral memorial hospital commended—
SJR 44, pages 645, 700, 737, 747
- Flowers, miss Pam, commended—
HJR 111, pages 708, 744
- Folsom, former governor James E., illness regretted—
HJR 181, pages 1194, 1276
HJR 213, pages 1258, 1264
- Ford, miss Leigh, complimented—
HJR 7, pages 233, 299
- Ford, president Gerald R., commended—
HJR 26, pages 240, 492, 493
- Fort and historic trail council, state, created—
SJR 102, page 1605
HJR 370, pages 2558, 3230, 3361
- Fort Dale academy girls basketball team commended—
SJR 18, pages 164, 379, 387, 426
- Fort Morgan parkway, named—
HJR 353, pages 3524, 3552
- Foster, rev. John N., commended—
HJR 187, pages 1193, 1277
- Fretwell, hon. William E., death mourned—
HJR 351, pages 3098, 3268
- Fultondale high school band commended—
HJR 380, pages 3100, 3268
- Gamble, judge Arthur, Jr., attempted assassination lamented—
SJR 94, pages 1311, 1640, 1652, 1699
- Gilley, Homer DeWitt, death mourned—
SJR 53, pages 705, 1075, 1076, 1162
- Gilvin, dr. Hebert E., commended—
HJR 24, pages 236, 300
- Glosser, dr. Mort, commended—
HJR 119, pages 709, 745
- Gosdin, trooper E. J., "Boots", wished a speedy recovery—
SJR 84, pages 1258, 1990, 2162, 3208
- Grey, D. C. "Deacon", memorial highway named for—
SJR 153, pages 3249, 3523, 3564, 3734

RESOLUTIONS (Continued)

- Grey, former representative D. C. "Deacon", death mourned—
SJR 137, pages 2765, 3079, 3119, 3210
HJR 385, pages 2631, 2763
- Gurganus, Brent, congratulated—
HJR 71, pages 328, 449
- Hall, mr. and mrs. Miles, Jr., congratulated—
SJR 61, pages 711, 1076, 1076, 1162
- Hall, Randy, commended—
SR 64, page 731
- Halls adjacent to senate chamber, elimination of congestion provided—
SR 160, page 3481
- "Hank Williams memorial drive" named—
SJR 152, pages 3228, 3523, 3564, 3734
- Harbison, Michael, congratulated—
HJR 72, pages 328, 449
- Hardin, general Taylor, commended—
SJR 29, page 267
- Harding, mrs. Ellen Launius, commended—
HJR 261, pages 2348, 2546
- Hare, hon. N. S. "Nick", honored—
HJR 46, pages 171, 2696, 2764
- Hargreaves, professor George Walter, death mourned—
HJR 371, pages 3100, 3267
- Hart, hon. Neal, commended—
SJR 45, pages 646, 700, 737, 747
- Hartford, Stewart, death mourned—
SJR 52, pages 644, 701, 738
- Highway prison camps, use of to house prisoners, highway department authorization requested—
HJR 197, page 785
- Highways, certain, renamed—
HJR 331, page 1931
- Hill, hon. Thomas B. and Mildred, congratulated—
HJR 400, pages 3224, 3362
- Hill, mrs. Nona S., death mourned—
SJR 139, pages 3099, 3189, 3243, 3438
- Historic resources adaptors council, created—
SJR 133, page 2600
HJR 102, pages 638, 3230, 3361
- Hokes Bluff high school baseball team commended—
HJR 47, pages 236, 301

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- Horton, hon. N. R., commended—
HJR 193, pages 1194, 1277
- Howell, W. L. and son, congratulated—
HJR 64, pages 327, 448
- Hudson, hon. John T., death mourned—
HJR 29, pages 233, 300
- Huntsville-Madison county public library commended—
HJR 145, pages 1074, 1126
- Huntsville senior high school congratulated—
HJR 343, pages 3420, 3502
- Hurst, mrs. Florence C., commended—
HJR 115, pages 709, 745
- Intent of legislature that Alabama capitol patrol be included
in provisions of Act no. 206, 3rd sp. sess., 1975—
HJR 9, page 72
- Interim standing committees between regular sessions of
1975-1978 provided for—
SJR 135, pages 2692, 2694
- Jackson, dr. Emory O., death mourned—
SR 124, page 2003
- Jackson, hon. Dwight M., death mourned—
HJR 251, pages 2348, 2545
- Jackson, rep. Frank, welcomed upon return from illness—
HJR 21, pages 169, 302
- Jackson, rep. Ronald E., commended—
HJR 332, pages 2350, 2547
- Jackson, rep. Ronald E., wished happy birthday—
HJR 131, pages 710, 745
- James, general Daniel, Jr., commended—
HJR 125, pages 710, 745
- Jayne, mrs. Nellie Irene Jones, honored—
HJR 238, pages 1642, 1650
- Jefferson county commission and water board requested to
review and revise rates—
HJR 338, pages 2761, 3229, 3361
- Jefferson county health department and transit authority,
joint interim committee created to study financing of—
SJR 161, pages 3493, 3642, 3702, 3735
- "Joe Wheeler state parkway", highway 72 from I-65 to
Wheeler state park designated as—
SJR 92, pages 1311, 1640, 1651, 1699
- John Jones elementary school, lady volunteers commended for
work on safety patrol—
SJR 41, pages 647, 700, 737, 747

RESOLUTIONS (Continued)

Johnson, James Allen (Beau), commended—
SJR 143, pages 3223, 3494, 3513, 3734

Joint continuing prison and penal system study committee
created—
HJR 324, page 2286

Joint interim committee of administrative inquiry created—
SJR 8, page 70

Joint interim committee on agriculture, tenure extended—
HJR 369, page 2757

Joint interim committee on finance and taxation, continuing,
created—
SJR 130, pages 2550, 3140, 3243, 3438, 3737, 3739
HJR 365, pages 2560, 2694, 2765

Joint interim committee to investigate the Fairhope single tax
corporation—
SJR 117, page 1773
SJR 128, pages 2209, 2547, 2553, 3208, 3737, 3738

Joint interim committee to study agricultural chemical products—
SJR 101, pages 1503, 1708, 1889, 2482, 3737, 3738

Joint interim committee to study campaign financing created—
SJR 22, page 241

Joint interim committee to study distribution of funds to
universities, junior colleges and trade schools, created—
HJR 421, pages 3675, 3725, 3737, 3740

Joint interim committee to study feasibility of adopting
revised criminal code—
HJR 368, pages 2758, 3228, 3274, 3337, 3737, 3739

Joint interim committee to study firefighters pension fund—
SJR 162, page 3651

Joint interim committee to study food pricing practices—
SJR 99, page 1491

Joint interim committee to study forestry practices—
HJR 363, page 2556

Joint interim committee to study grants received by state
departments and agencies created—
SJR 91, pages 1311, 2695, 3272, 3345, 3438, 3737, 3738

Joint interim committee to study highway safety continued—
HJR 59, page 290

Joint interim committee to study hospital-medical insurance
for state employees and educators—
SJR 98, pages 1490, 3114, 3232, 3435, 3737, 3738
HJR 253, page 1604

Joint interim committee to study laws pertaining to rules
of the road created—
HJR 441, pages 3695, 3722

RESOLUTIONS (Continued)

Joint interim committee to study medicare and medicaid created, time of reporting extended—

SJR 14, pages 160, 290, 305, 426

SJR 24, page 244

HJR 17, page 167

HJR 170, pages 950, 1114, 1277

HJR 405, page 3189

Joint interim committee to study merit system created—

HJR 137, page 952

Joint interim committee to study operation of Lawson junior college and technical school created—

SR 80, pages 1200, 1200, 1462, 2547

Joint interim committee to study probate law of Alabama—

HJR 140, pages 704, 1205, 1276, 3737, 3739

Joint interim committee to study real estate practices created—

SJR 9, pages 71, 72, 160, 426

HJR 139, pages 951, 1890, 2361, 3737, 3739

Joint interim committee to study residential housing created—

HJR 410, pages 3252, 3362, 3737, 3740

Joint interim committee to study state parks, time of reporting extended—

SJR 40, pages 437, 494, 495, 747

SJR 68, pages 746, 1127, 1163, 1698, 1956, 3506

SJR 156, pages 3268, 3354, 3733

HJR 180, page 1068

Joint interim committee to study "Sunday closing laws" created—

HJR 116, pages 638, 1114, 1161, 1224, 1497, 1888, 2586

HJR 347, page 2287

Joint interim committee to study tax structure and distribution of tax revenues created—

HJR 430, pages 3665, 3696, 3738, 3740

Joint interim committee to study utilization of natural resources in southwest Alabama—

HJR 6, pages 952, 2696, 3079, 3136, 3737, 3739

Jones, rev. Daryl, commended—

HJR 158, pages 1192, 1276

Jones, rev. Wayne, commended—

HJR 152, pages 1073, 1126

Jordan, hon. James V. "Jake", honored—

SJR 142, pages 3072, 3189, 3243, 3438

Judicial article, employment of technical consultant by subcommittee to study implementation of, authorized—

HJR 156, pages 702, 1115, 1277, 3469

Key, athletic director Doug, commended—

HJR 68, pages 328, 449

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- Key Club, congratulated—
HJR 146, pages 954, 1127
- Kidd, miss Eloise, congratulated—
HJR 44, pages 234, 301
- Kilby corrections facility, medical and diagnostic clinic
designated as—
SJR 118, page 1928
HJR 329, pages 1931, 2695, 2764
- Kilgore, hon. James Hubert, death mourned—
HJR 277, pages 1643, 1651
- Kirk, Johnny B., congratulated—
HJR 41, pages 234, 301
- Kissinger, dr. Henry, welcomed to Alabama—
HJR 233, page 1259
- Koster, miss Ivy Sue, congratulated—
SJR 39, pages 385, 494, 495, 747
- Kynard, hon. William A., commended—
SJR 87, pages 1293, 1990, 2162, 3208
- Lake Guntersville parkway, U. S. highway 431 between Gadsden
and Guntersville designated as—
HJR 48, pages 296, 492, 493
- Lambert, hon. Thomas M., sr., death mourned—
HJR 189, pages 1194, 1277
- Lane, hon. McMillan, commended—
SJR 114, pages 1929, 2639, 2768, 3209
HJR 336, pages 2079, 2303
- LaPorte, police chief Frank R., commended—
HJR 12, pages 234, 300
- Latta, hon. Forest, congratulated—
HJR 86, pages 651, 695
- Lawley, hon. Reginald Wilton, death mourned—
HJR 424, pages 3495, 3508
- Lawrence county, men from, who lost lives in Vietnam, honored—
HJR 288, pages 2350, 2546
- Lawrence county, persons who lost lives in tornadoes lamented—
HJR 289, pages 2350, 2546
- Lawson, mrs. Robert E., death mourned—
HJR 11, pages 234, 300
- Lawson, rev. James, commended—
HJR 157, pages 1192, 1276
- Lee, coach Pete, of Lee high school, death mourned—
SJR 27, pages 244, 379, 387, 426
HJR 81, pages 328, 449

RESOLUTIONS (Continued)

Lee, corporal Marcius Bruce, death mourned—
HJR 83, pages 651, 694

Legal counsel to confer with select committee, employment
authorized—
SR 74, page 1077

Legislative recess without pay—
SJR 1, pages 3, 23
HJR 3, page 25

Legislative select committee to provide funding for prison
system created—
HJR 240, page 1604
HJR 241, page 1294

Legislators authorized to attend conference of Alabama
constitutional committee—
HJR 4, pages 24, 72, 77

Legislators, postage for official mailings, payment by
clerk and secretary authorized—
HJR 296, page 2287

Legislature, adjournment—
SJR 51, pages 605, 662, 747
SJR 79, page 1156
HJR 58, page 165
HJR 141, pages 664, 744
HJR 229, pages 1260, 1264
HJR 382, pages 2614, 2765

Legislature, days of meeting prescribed—
SJR 25, page 244
SJR 26, pages 244, 495, 496, 523

Legislature, joint rule no. 14 amended as to synopsis
of bills—
HJR 120, page 643

Legislature, joint rule no. 15 added, to prohibit lethal weapons
in legislative areas—
HJR 121, pages 642, 2695, 2764

Legislature, joint session to hear message of governor set—
HJR 14, page 168
HJR 184, pages 775, 776, 776

Legislature, July 4th recess—
SJR 38, pages 381, 384, 424, 426, 448
HJR 101, pages 438, 492, 493, 495, 496

Legislature, rules waived for H. B. 293, criminal code, as to
numbered lines and double spacing—
HJR 55, page 293

LeGrand, rev. Jack, commended—
HJR 153, pages 1073, 1126

RESOLUTIONS (Continued)

Lieutenant governor requested to ask opinion of U.S. department of justice—
SR 136, page 2698

Lobbyists, certain, chastised for pressure tactics—
HJR 366, page 2760

Long, dr. John M., commended—
HJR 32, pages 233, 301

Long, miss Pamela Kaye, commended—
HJR 106, pages 708, 744

Long-range highway development study committee created, reporting time extended—
SJR 23, page 242
SJR 93, page 1311
HJR 40, pages 293, 525, 694, 696, 731, 774, 2357

Lucas, Scott, of Huntsville, congratulated—
SR 11, page 72

Madison county elected officials salary commission commended—
HJR 88, pages 652, 695

Madison county sheriff's mounted posse commended—
HJR 25, pages 232, 300

Mahoney, mr. and mrs. George V., congratulated—
HJR 133, pages 710, 745

Malone, rep. Ken, congratulated—
HJR 194, pages 1074, 1127

Martin, Gary, congratulated—
SJR 55, pages 706, 1075, 1076, 1162

Massey, miss Jacquelyn, commended—
SJR 46, pages 646, 700, 737, 747
HJR 264, pages 1641, 1651

Mathews, dr. Forrest David, congratulated—
SJR 50, pages 604, 701, 738, 747
HJR 138, pages 955, 1127, 2545

McDonald, rev. Isaac B., commended—
HJR 202, pages 1258, 1264

McGowin, hon. Earl M., congratulated—
HJR 113, pages 709, 745

McKee, rev. Robert Earl, commended—
HJR 201, pages 1258, 1264

Mehaffey, mrs. Lloyd L., congratulated—
HJR 91, pages 652, 695

Merrill, rep. Hugh, and McMillan, sen. George, commended—
HJR 168, pages 1072, 1126

Moore, mrs. Lucy Blackburn, death mourned—
HJR 266, pages 2349, 2546

RESOLUTIONS (Continued)

Morgan, hon. Roy B., honored—
HJR 22, pages 236, 300

Morgan, major general Thomas W., commended—
SJR 86, pages 1292, 1990, 2162, 3208

Movement of capitol from Montgomery to Huntsville recommended—
SJR 35, page 329

Naming Act no. 2, 2nd sp. sess. 1975, the "Bill King annual sessions act"—
SJR 37, pages 335, 494, 494, 747

Naming Act no. 524 the "McMillan-Hines-Dial act"—
HJR 399, pages 3244, 3362

Naming engineering experiment station at Auburn university the "Alabama productivity center"—
SJR 132, page 2599

Naming senate bill 152 the Harris-Jones bill—
HJR 423, pages 3454, 3502

Naming senate bill 183 the Mims-Mitchem bill—
HJR 325, pages 1930, 1987

Naming senate bill 576 the Littleton-Smith bill—
HJR 426, pages 3496, 3508

National boat laws administrators' association urged to study protective covers for boat propellers—
SJR 49, pages 597, 743, 749, 1162

Newman, rev. Marion, commended—
HJR 215, pages 1293, 1326

Northwest Huntsville league all-star team congratulated—
HJR 359, pages 3098, 3268

Oliver, miss Melissa, congratulated—
HJR 52, pages 235, 301

Opposing bill in congress relating to self-protection in homes—
SJR 122, page 1941

Owens, hon. Randy G., death mourned—
HJR 174, pages 1194, 1276

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